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HOUSE JOURNAL
OF THE
Fiftieth Legislature
OF THE
STATE OF MONTANA
VOLUME I


Held in Helena, the Seat of Government
Commencing in Regular Session January 5, 1987
and Ending April 23, 1987

ROBERT L. MARKS
Speaker of the House

BOBBY SPILKER
Chief Clerk of the House

Rosana Winterburn
Journal Clerk

PUBLISHED BY

 **Montana Legislative Council**

HOUSE JOURNAL

OF THE

Fiftieth Legislature

OF THE

State of Montana

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Shelly Farrell
Asst. Journal Clerk



Published by

Montana Legislative Council

Room 138 State Capitol
Helena, Montana 59620

Robie Baldwin-Culver
Journal Technician

Robert B. Person
Acting Executive Director

OFFICERS AND MEMBERS OF THE MONTANA HOUSE OF REPRESENTATIVES 1987

100 Members

51 Republicans
49 Democrats

83 Men
17 Women

OFFICERS

Speaker	Robert L. Marks
Speaker Pro Tempore	Dennis Iverson
Majority Leader	Tom Hannah
Majority Whip	Ralph S. Eudaily
Minority Leader	John Vincent
Minority Whip	Joe Quilici
Chief Clerk	Bobby Spilker

MEMBERS

NAME	RESIDENCE OR MAILING ADDRESS	DIST NO.	COUNTY OF RESIDENCE	PARTY
Addy, Kelly	237 Ave. C, Billings 59101	94	Yellowstone	Democrat
Asay, Tom	Box 914, Forsyth 59327	27	Rosebud	Republican
Bachini, Bob	409 19th St., Havre 59501	14	Hill	Democrat
Bardanoue, Francis	Box 367, Harlem 59526	16	Blaine	Democrat
Bradley, Dorothy	919 W. Lamme, Bozeman 59715	79	Gallatin	Democrat
Brandewie, Raymond J.	East Shore, Bigfork 59911	49	Lake	Republican
Brown, Dave	3040 Ottawa, Butte 59701	72	Silver Bow	Democrat
Brown, Jan	906 Madison, Helena 59601	46	Lewis & Clark	Democrat
Bulger, Tom	600 5th Ave. No., Great Falls 59401	37	Cascade	Democrat
Campbell, Bud	471 Lake Hill Road, Deer Lodge 59722	48	Powell	Republican
Cobb, John	Box 388, Augusta 59410	42	Lewis & Clark	Republican
Cody, Dorothy A.	Box 973, Wolf Point 59201	20	Roosevelt	Democrat
Cohen, Ben	Box 1657, Whitefish 59937	3	Flathead	Democrat
Compton, Duane W.	Box 1061, Malta 59538	17	Phillips	Republican
Connelly, Mary Ellen	3315 Whitefish Stage, Kalispell 59901	8	Flathead	Democrat
Corné, Dick	28 Border Lane, Bozeman 59715	77	Gallatin	Democrat
Daily, Fred "Fritz"	1057 West Steel, Butte 59701	69	Silver Bow	Democrat
Darko, Paula A.	P.O. Box 490, Libby 59923	2	Lincoln	Democrat
DeMars, Gene	RR1, Box 22, Coffee Creek 59424	29	Fergus	Democrat
Devlin, Gerry	Box 186, Terry 59349	25	Prairie	Republican
Donaldson, Gene	3890 Helberg Dr., Helena 59601	43	Lewis & Clark	Republican
Driscoll, Jerry L.	4344 Stone St., Billings 59101	92	Yellowstone	Democrat
Ellison, Orval S.	W. Boulder Rt., McLeod 59052	81	Park	Republican
Eudaily, Ralph S.	234 Kensington Ave., Missoula 59801	60	Missoula	Republican
Fritz, Harry	675 E. Central, Missoula 59801	56	Missoula	Democrat
Giacometto, Leo A.	Box 1, Alzada 59311	24	Carter	Republican
Gilbert, Bob	P.O. Drawer 2117, Sidney 59270	22	Richland	Republican
Glaser, William E. (Bill)	P.O. Box 1801, Billings 59103	98	Yellowstone	Republican
Gould, R. Budd	2205 So. Fifth West, Missoula 59801	61	Missoula	Republican
Grady, Edward J. (Ed)	Canyon Creek 59633	47	Lewis & Clark	Republican
Grinde, Larry Hal	Route 3, Lewistown 59457	30	Fergus	Republican
Hannah, Tom	2228 Beloit, Billings 59102	86	Yellowstone	Republican
Hansen, Stella Jean	841 Woodford, Missoula 59801	57	Missoula	Democrat
Hanson, Marian W.	Box 237, Ashland 59003	100	Powder River	Republican
Harp, John G.	134 Park Ave., Kalispell 59901	7	Flathead	Republican
Harper, Hal	9 Comstock Rd., Helena 59601	44	Lewis & Clark	Democrat
Harrington, Dan W.	1201 N. Excelsior, Butte 59701	68	Silver Bow	Democrat
Hayne, Harriet	P.O. Box 285, Dupuyer 59432	10	Pondera	Republican
Hoffman, Robert E.	P.O. Box 306, Sheridan 59749	74	Madison	Republican
Holliday, Gay	Box 316, Roundup 59072	31	Musselshell	Democrat
Iverson, Dennis	Whitlash 59545	12	Liberty	Republican
Jenkins, Loren	RR 1, Box 689, Big Sandy 59520	13	Chouteau	Republican
Jones, Tom L.	171 3 Mile Drive, Kalispell 59901	4	Flathead	Republican
Kadas, Mike	825 Cooley, Missoula 59802	55	Missoula	Democrat
Keenan, Nancy A.	1421 W. 3rd St., Anaconda 59711	66	Deer Lodge	Democrat
Keller, Vernon V.	HC 55, Box 355, Fishtail 59028	83	Stillwater	Republican
Kennerly, Roland F.	P.O. Box 1559, Browning 59417	9	Glacier	Democrat
Kitelman, Les	1148 Patriot St., Billings 59105	95	Yellowstone	Republican
Koehnke, Francis	Box 692, Townsend 59644	32	Broadwater	Democrat

HOUSE OF REPRESENTATIVES

(Continued)

NAME	RESIDENCE OR MAILING ADDRESS	DIST NO.	COUNTY OF RESIDENCE	PARTY
Lory, Earl C.	4795 Miller Creek Rd., Missoula 59803	59	Missoula	Republican
Manuel, Rex	RR 1, Box 42, Fairfield 59436	11	Teton	Democrat
Marks, Robert L. (Bob)	302 Lump Gulch, Clancy 59634	75	Jefferson	Republican
McCormick, Lloyd J. (Mac)	326 14th Ave. So. #2, Great Falls 59405	38	Cascade	Democrat
Menahan, William (Red)	1304 W. 5th St., Anaconda 59711	67	Deer Lodge	Democrat
Menke, Larry	315 Gibson, Glendive 59330	23	Dawson	Republican
Mercer, John A.	P.O. Box 450, Polson 59860	50	Lake	Republican
Meyers, Al	Box 2530 Jocko Rd., Arlee 59821	53	Lake	Republican
Miles, Joan	14 So. Howie, Helena 59601	45	Lewis & Clark	Democrat
Miller, Ron	513 52nd St. So., Great Falls 59405	34	Cascade	Republican
Moore, Janet	Box 1017, Condon 59826	65	Missoula	Democrat
Nathe, Dennis G.	P.O. Box 4, Redstone 59257	19	Sheridan	Republican
Nelson, Richard M.	94 Northern Lights Blvd., Kalispell 59901	6	Flathead	Republican
Nisbet, Gerald D. (Jerry)	420 25th Ave. N.E., Great Falls 59404	35	Cascade	Democrat
O'Connell, Helen G.	703 4th Ave. S.W., Great Falls 59404	40	Cascade	Democrat
Patterson, John W.	Box 150, Custer 59024	97	Yellowstone	Republican
Pavlovich, Robert J. (Bob)	1375 Harrison Ave., Butte 59701	70	Silver Bow	Democrat
Peck, Ray	620 4th Ave., Havre 59501	15	Hill	Democrat
Peterson, Mary Lou	Rt. 1, Box 117, Eureka 59917	1	Lincoln	Republican
Phillips, John E.	1200 32nd St. So. #61, Great Falls 59405	33	Cascade	Republican
Pistoria, Paul G.	2421 Central Ave., Great Falls 59401	36	Cascade	Democrat
Poff, Bing C.	Rt. 2, Box 54, Culbertson 59218	21	Richland	Democrat
Poulsen, Harold L.	1537 Meadowlark Dr., Great Falls 59404	39	Cascade	Democrat
Quilici, Joe	3040 Kossuth, Butte 59701	71	Silver Bow	Democrat
Ramirez, Jack	4042 Pine Cove Rd., Billings 59106	87	Yellowstone	Republican
Raney, Bob	212 So. 6th St., Livingston 59047	82	Park	Democrat
Rapp-Svrcek, Paul	Box 1392, Thompson Falls 59873	51	Sanders	Democrat
Ream, Bob	5950 Wildcat Rd., Missoula 59802	54	Missoula	Democrat
Rehberg, Dennis R.	1737 Ave. D, Billings 59102	88	Yellowstone	Republican
Roth, Rande K.	726 Oasis Dr., Billings 59105	96	Yellowstone	Republican
Russell, Angela	Box 333, Lodge Grass 59050	99	Big Horn	Democrat
Sales, Walter R.	3900 Stagecoach Tr., Manhattan 59741	76	Gallatin	Republican
Sands, Jack	3115 Poly Dr., Billings 59102	90	Yellowstone	Republican
Schye, Ted	North Star Route, Glasgow 59230	18	Valley	Democrat
Simon, Bruce T.	217 Clark Ave., Billings 59101	91	Yellowstone	Republican
Smith, Clyde B.	148 3 Mile Dr., Kalispell 59901	5	Flathead	Republican
Spaeth, Gary	Silesia 59080	84	Carbon	Democrat
Squires, Carolyn	2111 So. 10th St. W., Missoula 59801	58	Missoula	Democrat
Stang, Barry	142 Mt. Hwy. 135 So., St. Regis 59866	52	Mineral	Democrat
Stratford, Tonia	406 So. Center, Miles City 59301	26	Custer	Republican
Strizich, William S. (Bill)	736 27th Ave. N.E., Great Falls 59404	41	Cascade	Democrat
Swift, Bernie	SE 206 Rose Lane, Hamilton 59840	64	Ravalli	Republican
Switzer, L. Dean	HCR 87, Box 540, Richey 59259	28	Dawson	Republican
Swysgood, Charles "Chuck"	206 Legget Ave., Dillon 59725	73	Beaverhead	Republican
Thoft, Bob	1520 S. Burnt Fork Road, Stevensville 59870	63	Ravalli	Republican
Thomas, Fred	144 Brook Lane, Stevensville 59870	62	Ravalli	Republican
Vincent, John	1020 So. 3rd, Bozeman 59715	80	Gallatin	Democrat
Wallin, Norm	2422 Springcreek Dr., Bozeman 59715	78	Gallatin	Republican
Whalen, Timothy J.	101 Avenue C, Billings 59101	93	Yellowstone	Democrat
Williams, J. Melvin (Mel)	511 8th Ave., Box 245, Laurel 59044	85	Yellowstone	Democrat
Winslow, Cal	1240 Crawford Dr., Billings 59102	89	Yellowstone	Republican

HOUSE JOURNAL

OF THE

FIFTIETH LEGISLATURE

OF THE

STATE OF MONTANA

FIRST LEGISLATIVE DAY

Helena, Montana
January 5, 1987

House Chambers
State Capitol

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the 50th Legislature of the State of Montana was called to order by the Honorable Jim Waltermire, Secretary of State of Montana, who extended greetings to the members on behalf of the State of Montana.

As temporary officers of the House, Secretary of State Waltermire named Bobby Spilker, Chief Clerk; Chuckie Cramer, Sergeant-at-Arms; and Rosana Winterburn, Journal Clerk.

The Posting of the Colors by Captain Loren Oelkers and members of the Montana National Guard, and the Pledge of Allegiance to the Flag followed.

The invocation was given by Reverend Hap Piper.

Chief Clerk Bobby Spilker called the roll by districts as follows: District No. 1, Mary Lou Peterson; District No. 2, Paula A. Darko; District No. 3, Ben Cohen; District No. 4, Tom L. Jones; District No. 5, Clyde B. Smith; District No. 6, Richard M. Nelson; District No. 7, John G. Harp; District No. 8, Mary Ellen Connelly; District No. 9, Roland F. Kennerly; District No. 10, Harriet Hayne; District No. 11, Rex Manuel; District No. 12, Dennis Iverson; District No. 13, Loren Jenkins; District No. 14, Bob Bachini; District No. 15, Ray Peck; District No. 16, Francis Bardanouve; District No. 17, Duane W. Compton; District No. 18, Ted Schye; District No. 19, Dennis G. Nathe; District No. 20, Dorothy A. Cody; District No. 21, Bing C. Poff; District No. 22, Bob Gilbert; District No. 23, Larry Menke; District No. 24, Leo A. Giacometto; District No. 25, Gerry Devlin; District No. 26, Tonia Stratford; District No. 27, Tom Asay; District No. 28, L. Dean Switzer; District No. 29, Gene DeMars; District No. 30, Larry Hal Grinde; District No. 31, Gay Holliday; District No. 32, Francis Koehnke; District No. 33, John E. Phillips; District No. 34, Ron Miller; District No. 35, Gerald D. (Jerry) Nisbet; District No. 36, Paul G. Pistoria; District No. 37, Tom Bulger; District No. 38, Lloyd J. (Mac) McCormick; District No. 39, Harold L. Poulsen; District No. 40, Helen G. O'Connell; District No. 41, William S. (Bill) Strizich; District No. 42, John Cobb; District No. 43, Gene Donaldson; District No. 44, Hal Harper; District No. 45, Joan Miles; District No. 46, Jan Brown; District No. 47, Edward J. (Ed) Grady; District No. 48, Bud Campbell; District No. 49, Raymond J. Brandewie; District No. 50, John A. Mercer; District No. 51, Paul Rapp-Svrcek; District No. 52, Barry Stang; District No. 53, Al Meyers; District No. 54, Bob Ream; District No. 55, Mike Kadas; District No. 56, Harry Fritz; District No. 57, Stella Jean Hansen; District No. 58, Carolyn Squires; District No. 59, Earl C. Lory; District No. 60, Ralph S. Eudaily; District No. 61, R. Budd Gould; District No. 62, Fred Thomas; District No. 63, Bob Thoft; District No. 64, Bernie Swift; District No. 65, Janet Moore; District No. 66, Nancy A. Keenan; District No. 67, William (Red) Menahan; District No. 68, Dan W. Harrington; District No. 69, Fred "Fritz" Daily; District No. 70, Robert J. (Bob) Pavlovich; District No. 71, Joe Quilici; District No. 72, Dave Brown; District No. 73, Charles "Chuck" Swysgood; District No. 74, Robert E. Hoffman; District No. 75, Robert L. (Bob) Marks; District No. 76, Walter R. Sales; District No. 77, Dick Corne; District No. 78

Norm Wallin; District No. 79, Dorothy Bradley; District No. 80, John Vincent; District No. 81, Orval S. Ellison; District No. 82, Bob Raney; District No. 83, Vernon V. Keller; District No. 84, Gary Spaeth; District No. 85, J. Melvin (Mel) Williams; District No. 86, Tom Hannah; District No. 87, Jack Ramirez; District No. 88, Dennis R. Rehberg; District No. 89, Cal Winslow; District No. 90, Jack Sands; District No. 91, Bruce T. Simon; District No. 92, Jerry L. Driscoll; District No. 93, Timothy J. Whalen; District No. 94, Kelly Addy; District No. 95, Les Kitselman; District No. 96, Rande K. Roth; District No. 97, John W. Patterson; District No. 98, William E. (Bill) Glaser; District No. 99, Angela Russell; District No. 100, Marian W. Hanson. All members were present.

Secretary Waltermire then introduced Supreme Court Justice Fred Weber who administered the following oath of office:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office as Representative with fidelity, so help me God."

Representative Hannah nominated Representative Bob Marks for Speaker of the House. Representative Quilici nominated Representative John Vincent. There being no further nominations, the nominations were closed. Representative Bob Marks was elected Speaker of the House by the following vote:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 51

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Manuel, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Secretary of State Waltermire asked Representatives Hannah and Vincent to escort the new Speaker to the Rostrum, where he was presented with the gavel. The Speaker delivered the following address:

ACCEPTANCE SPEECH BY SPEAKER BOB MARKS
50TH LEGISLATIVE ASSEMBLY
January 5, 1987

Members of the House of Representatives, enduring and understanding spouses and families and staff — I welcome you to the 50th Montana Legislature.

It is a distinct honor and privilege to serve you as Speaker and no less an honor to serve the people of the state of Montana.

It is with enthusiasm that I look forward to working with and for you during the next two years.

I would like to cast a historical perspective on what this 50th legislative assembly really is: It is a threshold session — the end of our first century of statehood and the beginning of our second century. As such, I believe that we have a historical obligation, a moral obligation and a fiscal obligation to deliver Montana into its second century without despair or debt.

Seasoned political observers already are predicting that this session may well be the most difficult session in memory. There are messages of despair and desperation being delivered to us from every area of the state. Our economy is lagging behind our sister states and well below the public's expectations. Darker yet are the economic forecasts for the future.

But those first legislators were in no better shape than we are; there were no guarantees then and no governmental assistance of any kind to cushion the vagaries of the economy. There was, however, a difference: There was a spirit of success, an entrepreneurial attitude, a sheer determination to wring opportunities from adversities. We need to rekindle that optimistic spirit, to address ourselves to these opportunities that still exist, to add vision to our actions.

Now, of all times, it is imperative that we do not place more financial obligations upon government. It is the time, rather to encourage and allow our citizens to pursue their opportunities and to reassume their individual responsibilities.

Contrary to the 1st Legislature which was so politically divided that it would not sit in session together, a single vote comprises the majority this session. That fact alone requires us to perform our task harmoniously, to work together, to debate the issues without destroying our right to hold differing views.

This is a New Year, a New Legislature and we are approaching a New Century of Statehood. Perhaps it is indeed time for a New Beginning.

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Hayne,
Chairman): 1/5/87

Recommend that the following employees be hired by the 50th Legislature:

Bobby Spilker	Chief Clerk
Mike Sassano	Assistant Chief Clerk
Rosana Winterburn	Journal Clerk
Jean McLane	Bills Clerk
Shelly Farrell	Assistant Journal Clerk
Barb Lester	Assistant Bills Clerk
Tom Pouliot	Amendment Coordinator
Shirley Johnson	Bills Coordinator
Susie Wolcott	Assistant Amendment & Bills Coordinator
Becky Schneckloth	Status Input Technician
Mark Trafton	Reading Clerk
Karen Eagle	Reading Clerk
Al Abramson	Legislative Assistant
Todd Hill	Permanent Page

Secretaries

Vic Braaten Secretary to Chief Clerk

Bea Burr	Chief Stenographer
Elaine Eck	Assistant Chief Steno

Committee Secretaries

Jo Lahti	Agriculture/Highways
Denise Thompson	Appropriations
Debbie Thompson	Education Subcommittee
Julie Jackson	General Government Subcommittee
Gayle Carpenter	Human Services Subcommittee
Alice Omang	Institutions Subcommittee
Lori Wolfe	Long Range Planning Subcommittee
Jean Carroll	Natural Resources Subcommittee
Elsie Sebens-Armstrong	Business and Labor
Shirley Herrin	Education/Human Services
Lisa Routzahn	Fish and Game/Natural Resources
Renee Podell	Judiciary
Jean Stephenson	Local Government
Betty DeYoung	State Administration
Jody Gibson	Taxation

Steno Pool

Vonnie Evans	Stenographer
Ree Forbes	Stenographer
Lorna Boyd	Stenographer
Julie Emge	Stenographer
Joan Linkenbach	Stenographer
Beth Edens	Stenographer
Sheree Winslow	Telephone Operator
Andy Hannah	Permanent Page
Lorilei Cochran	Committee Aide
Esther Petrosky	Committee Aide
Shirley Sautter	Committee Aide
Carmen Weggenman	Committee Aide

Martha Brass	Secretary to Speaker
Marcene Lynn	Secretary to Majority Leader
Don Byrd	Legislative Assistant

Joyce Andrus	Secretary to Minority Leader
Ed Smith	Legislative Assistant

Lillie Smith	Legislative Assistant (Aide to Rep. Gould)
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Chuckie Cramer	Sergeant-at-Arms
Corky Van Dyke	Assistant Sergeant
Jeff Pennington	Assistant Sergeant
Bill Orsello	Assistant Sergeant
Jack McCarthy	Doorman
Del Ruggles	Security
Harry Draper	Security
Bill Gillespie	Security
Jay Synness	Security
Charles Ruzicka	Security
Ben Hainlin	Security
Larry Peters	Distribution Clerk

Pages for the week of January 5 through 10, 1987:

Lisa Luft
Jennifer Brayden
Kim Calnan

Jamie Cain
Donald Albrecht
Tiffany Robbie

MOTIONS

Representative Eudaily moved that the staff as approved by the Committee on Legislative Administration be hired. Motion carried.

Representative Eudaily moved the following representatives be elected as the officers of the 50th Legislature:

Speaker Pro Tem — Dennis Iverson
Majority Leader — Tom Hannah
Majority Whip — Ralph Eudaily
Minority Leader — John Vincent
Minority Whip — Joe Quilici
Chief Clerk — Bobby Spilker

Representative Vincent moved a unanimous ballot be cast for the aforementioned officers. Motion carried.

Representative Hannah moved the temporary rules of the Legislature be the Joint Rules of the House and Senate of the 48th Legislature. Motion carried.

Representative Hannah moved that the temporary rules of the House be the House Rules of the 48th Legislature. Motion carried.

Speaker Marks then appointed two select committees to notify the Governor and the Senate that the House was organized and ready to do business. To notify the Governor he appointed Representatives Devlin, Chairman; Nathe, and Bradley. To notify the Senate he appointed Representatives Lory, Chairman; Stratford, and Dave Brown.

The committees were discharged from the chamber.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 1, introduced by Donaldson. Referred to Committee on Appropriations.

HB 11, introduced by Manuel, (By Request of the Legislative Council). Referred to Committee on State Administration.

HB 12, introduced by Nathe, (By Request of the Coal Tax Oversight Subcommittee). Referred to Committee on Taxation.

HB 13, introduced by Mercer, (By Request of the Joint Interim Subcommittee on Lien Laws). Referred to Committee on Judiciary.

HB 14, introduced by Nathe, (By Request of the Coal Tax Oversight Subcommittee). Referred to Committee on Local Government.

HB 15, introduced by Fritz. Referred to Committee on State Administration.

HB 16, introduced by Cobb. Referred to Committee on Fish and Game.

HB 17, introduced by Nelson. Referred to Committee on Taxation.

HB 18, introduced by Bradley. Referred to Committee on State Administration.

HB 19, introduced by Mercer, (By Request of the Interim Subcommittee on Lien Laws). Referred to Committee on Judiciary.

HB 20, introduced by Hanson, (By Request of the Committee on Indian Affairs). Referred to Committee on State Administration.

HB 21, introduced by Fritz. Referred to Committee on Judiciary.

HB 22, introduced by Harper. Referred to Committee on Business and Labor.

- HB 23**, introduced by Keenan. Referred to Committee on Education and Cultural Resources.
- HB 24**, introduced by Nisbet. Referred to Committee on Human Services.
- HB 25**, introduced by Ream, (By Request of the Coal Tax Oversight Subcommittee). Referred to Committee on Taxation.
- HB 26**, introduced by Addy, (By Request of the Joint Interim Subcommittee on Infrastructure). Referred to Committee on Taxation.
- HB 27**, introduced by Spaeth, (By Request of the Administrative Code Committee). Referred to Committee on State Administration.
- HB 28**, introduced by Jenkins. Referred to Committee on Highways and Transportation.
- HB 29**, introduced by Bardanouve. Referred to Committee on State Administration.
- HB 30**, introduced by Kitselman. Referred to Committee on Business and Labor.
- HB 31**, introduced by Kitselman. Referred to Committee on Business and Labor.
- HB 32**, introduced by Kitselman, (By Request of the Joint Interim Subcommittee on Infrastructure). Referred to Committee on Local Government.
- HB 33**, introduced by Cobb. Referred to Committee on Fish and Game.
- HB 34**, introduced by Spaeth, (By Request of the Board of Barbers). Referred to Committee on Business and Labor.
- HB 35**, introduced by Peterson. Referred to Committee on Education and Cultural Resources.
- HB 36**, introduced by Bradley. Referred to Committee on Human Services.
- HB 37**, introduced by Bradley. Referred to Committee on Judiciary.
- HB 38**, introduced by Pavlovich. Referred to Committee on State Administration.
- HB 39**, introduced by Donaldson, (By Request of the Joint Interim Subcommittee on Vo-Techs/Job Training). Referred to Committee on Education and Cultural Resources.
- HB 40**, introduced by Glaser, (By Request of the Joint Interim Subcommittee on Agricultural Problems). Referred to Committee on Agriculture.
- HB 41**, introduced by Winslow. Referred to Committee on Business and Labor.
- HB 42**, introduced by Cobb. Referred to Committee on Judiciary.
- HB 43**, introduced by Sales. Referred to Committee on State Administration.
- HB 44**, introduced by Rapp-Svrcek. Referred to Committee on Business and Labor.
- HB 45**, introduced by Swift. Referred to Committee on Judiciary.
- HB 46**, introduced by Williams, (By Request of the Department of Revenue). Referred to Committee on Taxation.
- HB 47**, introduced by Harrington, (By Request of the Department of Revenue). Referred to Committee on Taxation.
- HB 48**, introduced by Harrington, (By Request of the Department of Revenue). Referred to Committee on Taxation.
- HB 49**, introduced by Rapp-Svrcek. Referred to Committee on Local Government.
- HB 50**, introduced by Cobb, (By Request of the Fire Services Training School). Referred to Committee on State Administration.
- HB 51**, introduced by Peck, (By Request of the Board of Dentistry). Referred to Committee on Business and Labor.

- HB 52**, introduced by Thomas. Referred to Committee on Business and Labor.
- HB 53**, introduced by Eudaily, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
- HB 54**, introduced by Thomas. Referred to Committee on Business and Labor.
- HB 55**, introduced by Harrington, (By Request of the Department of Revenue). Referred to Committee on Taxation.
- HB 56**, introduced by Asay. Referred to Committee on Taxation.
- HB 57**, introduced by Sales. Referred to Committee on Judiciary.
- HB 58**, introduced by Keenan. Referred to Committee on Human Services.
- HB 59**, introduced by Hanson. Referred to Committee on Agriculture.
- HB 60**, introduced by Harrington. Referred to Committee on Education and Cultural Resources.
- HB 61**, introduced by Harper, (By Request of the Department of Agriculture). Referred to Committee on Agriculture.
- HB 62**, introduced by Nathe. Referred to Committee on State Administration.
- HB 63**, introduced by Hanson. Referred to Committee on State Administration.
- HB 64**, introduced by Hanson. Referred to Committee on Fish and Game.
- HB 65**, introduced by Peck. Referred to Committee on Highways and Transportation.
- HB 66**, introduced by Pavlovich, (By Request of the Department of Revenue). Referred to Committee on Business and Labor.
- HB 67**, introduced by Pavlovich, (By Request of the Department of Revenue). Referred to Committee on Business and Labor.
- HB 68**, introduced by Kitselman. Referred to Committee on Business and Labor.
- HB 69**, introduced by Hayne. Referred to Committee on Education and Cultural Resources.
- HB 70**, introduced by Miles, (By Request of the Joint Interim Subcommittee on Liability Issues). Referred to Committee on Judiciary.
- HB 71**, introduced by Asay, (By Request of the Joint Interim Subcommittee on Agricultural Problems). Referred to Committee on Agriculture.
- HB 72**, introduced by Bradley. Referred to Committee on Judiciary.
- HB 73**, introduced by Bradley, (By Request of the Department of Justice). Referred to Committee on Judiciary.
- HB 74**, introduced by Daily, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services.
- HB 75**, introduced by Daily, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services.
- HB 76**, introduced by Phillips. Referred to Committee on Highways and Transportation.
- HB 77**, introduced by J. Brown, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 78**, introduced by J. Brown, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 79**, introduced by J. Brown, (By Request of the Department of Revenue). Referred to Committee on Judiciary.
- HB 80**, introduced by J. Brown. Referred to Committee on Business and Labor.

HB 81, introduced by J. Brown, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

HB 82, introduced by J. Brown, (By Request of the Department of Revenue). Referred to Committee on Human Services.

HB 83, introduced by Cody. Referred to Committee on Education and Cultural Resources.

HB 84, introduced by Winslow. Referred to Committee on Taxation.

HB 85, introduced by Fritz. Referred to Committee on Taxation.

HB 86, introduced by Asay. Referred to Committee on Agriculture.

HJR 2, introduced by Rapp-Svrcek. Referred to Committee on State Administration.

HJR 3, introduced by Swift. Referred to Committee on State Administration.

HJR 4, introduced by Hayne. Referred to Committee on Legislative Administration.

HR 1, introduced by Hannah. Referred to Committee on Rules.

REPORTS OF SELECT COMMITTEES

A committee from the Senate composed of Senators Lybeck, Himsl, and Hirsch was admitted and reported to the House that the Senate was organized and ready for any legislation the House might care to send them.

The committee appointed to notify the Senate that the House was ready for business reported that it had done so. They were thanked for their faithful performance and discharged.

The committee appointed to notify the Governor that the House was ready for business reported that the Governor extends his best wishes for a fruitful session. The committee was thanked for their faithful performance and discharged.

SPECIAL ORDERS OF THE DAY

The following committee chairmen and members were appointed:

AGRICULTURE, LIVESTOCK & IRRIGATION

Duane Compton (R) - Chairman

Loren Jenkins (R) - Vice-Chairman

Bob Bachini (D)

Bud Campbell (R)

Dorothy Cody (D)

Richard Corne' (D)

Gene DeMars (D)

Orval Ellison (R)

Leo Giacometto (R)

Marian Hanson (R)

Harriet Hayne (R)

Gay Holliday (D)

Vernon Keller (R)

Francis Koehnke (D)

John Patterson (R)

Bing Poff (D)

Paul Rapp-Svrcek (D)

APPROPRIATIONS

Gene Donaldson (R) - Chairman

Bob Thoft (R) - Vice-Chairman

Cal Winslow (R) - Vice-Chairman

Francis Bardanouve (D)

Dorothy Bradley (D)
Mary Ellen Connelly (D)
Gerry Devlin (R)
Dennis Iverson (R)
Rex Manuel (D)
William "Red" Menahan (D)
Larry Menke (R)
Ron Miller (R)
Dennis Nathe (R)
Ray Peck (D)
Harold Poulsen (D)
Joe Quilici (D)
Dennis Rehberg (R)
Gary Spaeth (D)
Bernie Swift (R)
Dean Switzer (R)

APPROPRIATION/FINANCE AND CLAIMS JOINT SUBCOMMITTEE

Education

Dennis Nathe - Chairman
Dennis Iverson
Ray Peck
Judy Jacobson - Vice-Chairman
Swede Hammond
Greg Jergeson

General Government & Highways

Dennis Rehberg - Chairman
Joe Quilici
Harold Poulsen
Larry Stimatz - Vice-Chairman
Del Gage
Tom Keating

Human Services

Cal Winslow - Chairman
Dorothy Bradley
Mary Ellen Connelly
Dean Switzer
Richard Manning - Vice-Chairman
Ethel Harding
Matt Himsl

Institutions and Cultural Education

Ron Miller - Chairman
Larry Menke
William "Red" Menahan
Esther Bengtson - Vice-Chairman
Jack Haffey
Larry Tveit

Long-Range Planning

Bob Thoft - Chairman
Francis Bardanouve
Gene Donaldson
Fred Van Valkenburg - Vice-Chairman

Gary Aklestad
Tom Rasmussen
Mike Walker

Natural Resources

Bernie Swift - Chairman
Gerry Devlin
Rex Manuel
Gary Spaeth
Paul Boylan - Vice-Chairman
Ed Smith
Pete Story

BUSINESS AND LABOR

Les Kitselman (R) - Chairman
Fred Thomas (R) - Vice-Chairman
Bob Bachini (D)
Ray Brandewie (R)
Jan Brown (D)
Ben Cohen (D)
Jerry Driscoll (D)
William Glaser (R)
Larry Grinde (R)
Stella Jean Hansen (D)
Tom Jones (R)
Lloyd McCormick (D)
Gerald Nisbet (D)
Bob Pavlovich (D)
Bruce Simon (R)
Clyde Smith (R)
Charles Swysgood (R)
Norm Wallin (R)

EDUCATION AND CULTURAL RESOURCES

Jack Sands (R) - Chairman
Richard Nelson (R) - Vice-Chairman
Fritz Daily (D)
Ralph Eudaily (R)
William Glaser (R)
Dan Harrington (D)
Nancy Keenan (D)
Roland Kennerly (D)
Earl Lory (R)
John Mercer (R)
Gerald Nisbet (D)
John Phillips (R)
Ted Schye (D)
Barry Stang (D)
Tonia Stratford (R)
Charles Swysgood (R)
Fred Thomas (R)
Mel Williams (D)

FISH AND GAME

Orval Ellison (R) - Chairman
Marian Hanson (R) - Vice-Chairman
Ray Brandewie (R)

Tom Bulger (D)
John Cobb (R)
Fritz Daily (D)
Gene DeMars (D)
Jerry Driscoll (D)
Leo Giacometto (R)
Ed Grady (R)
Loren Jenkins (R)
Vernon Keller (R)
Janet Moore (D)
Bob Pavlovich (D)
Mary Lou Peterson (R)
John Phillips (R)
Paul Rapp-Svrcek (D)
Bob Ream (D)

HIGHWAYS AND TRANSPORTATION

John Harp (R) - Chairman
William Glaser (R) - Vice-Chairman
Bud Campbell (R)
Harry Fritz (D)
Hal Harper (D)
Tom Jones (R)
Mike Kadas (D)
Roland Kennerly (D)
John Mercer (R)
Helen O'Connell (D)
Bing Poff (D)
Rande Roth (R)
Clyde Smith (R)
Barry Stang (D)
Charles Swysgood (R)
Fred Thomas (R)

HUMAN SERVICES AND AGING

Budd Gould (R) - Chairman
Bob Gilbert (R) - Vice-Chairman
Jan Brown (D)
Duane Compton (R)
Dorothy Cody (D)
Dick Corne' (D)
Larry Grinde (R)
Stella Jean Hansen (D)
Les Kitselman (R)
Lloyd McCormick (D)
Richard Nelson (R)
John Patterson (R)
Angela Russell (D)
Jack Sands (R)
Bruce Simon (R)
Carolyn Squires (D)
Tonia Stratford (R)
Bill Strizich (D)

JUDICIARY

Earl Lory (R) - Chairman
John Mercer (R) - Vice-Chairman

Kelly Addy (D)
Dave Brown (D)
Tom Bulger (D)
John Cobb (R)
Fritz Daily (D)
Paula Darko (D)
Ralph Eudaily (R)
Leo Giacometto (R)
Budd Gould (R)
Ed Grady (R)
Tom Hannah (R)
Vernon Keller (R)
Al Meyers (R)
Joan Miles (D)
Paul Rapp-Svrcek (D)
Bill Strizich (D)

LEGISLATIVE ADMINISTRATION

Harriet Hayne (R) - Chairman
Ed Grady (R) - Vice-Chairman
Bob Marks (R)
Bud Campbell (R)
Jan Brown (D)
William "Red" Menahan (D)

LOCAL GOVERNMENT

Norm Wallin (R) - Chairman
Ray Brandewie (R) - Vice-Chairman
Dave Brown (D)
Jan Brown (D)
Tom Bulger (D)
Paula Darko (D)
Bob Gilbert (R)
Budd Gould (R)
Larry Grinde (R)
Stella Jean Hansen (D)
Robert Hoffman (R)
Les Kitselman (R)
Paul Pistoria (D)
Jack Ramirez (R)
Walter Sales (R)
Carolyn Squires (D)
Timothy Whalen (D)

NATURAL RESOURCES

Tom Jones (R) - Chairman
Clyde Smith (R) - Vice-Chairman
Kelly Addy (D)
Tom Asay (R)
John Cobb (R)
Ben Cohen (D)
Ed Grady (R)
John Harp (R)
Hal Harper (D)
Mike Kadas (D)
Al Meyers (R)
Joan Miles (D)

Mary Lou Peterson (R)
Bob Raney (D)
Rande Roth (R)
Angela Russell (D)
Bruce Simon (R)
Bill Strizich (D)

RULES

Tom Hannah (R) - Chairman
Bob Marks (R) - Vice-Chairman
Kelly Addy (D)
Dave Brown (D)
Ralph Eudaily (R)
Dennis Iverson (R)
John Mercer (R)
Jack Ramirez (R)
Joe Quilici (D)
John Vincent (D)

STATE ADMINISTRATION

Walter Sales (R) - Chairman
John Phillips (R) - Vice-Chairman
Bud Campbell (R)
Dorothy Cody (D)
Duane Compton (R)
Gene DeMars (D)
Harry Fritz (D)
Harriet Hayne (R)
Gay Holliday (D)
Loren Jenkins (R)
Janet Moore (D)
Richard Nelson (R)
Helen O'Connell (D)
Mary Lou Peterson (R)
Paul Pistoria (D)
Rande Roth (R)
Tonia Stratford (R)
Timothy Whalen (D)

TAXATION

Jack Ramirez (R) - Chairman
Tom Asay (R) - Vice-Chairman
Orval Ellison (R)
Bob Gilbert (R)
Marian Hanson (R)
John Harp (R)
Dan Harrington (D)
Robert Hoffman (R)
Nancy Keenan (D)
Francis Koehnke (D)
John Patterson (R)
Bob Raney (D)
Bob Ream (D)
Jack Sands (R)
Ted Schye (D)
Mel Williams (D)

ANNOUNCEMENTS

The Speaker announced the smoking policy. There will be no smoking at desks. Smoking areas are to the rear of the chamber on both sides behind the pillars.

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 6, 1987.

Motion carried.

House adjourned at 12:50 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SECOND LEGISLATIVE DAY

Helena, Montana
January 6, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Harper. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the first legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/6/87
Correctly printed: HJR 4, HR 1.

BUSINESS AND LABOR (Kitselman, Chairman): 1/6/87
HB 34, do pass. Report adopted.

Adverse Committee Reports

HB 44, as amended, do not pass.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Hayne, Chairman): 1/5/87

HJR 4, introduced bill, be amended as follows:

1. Page 5, line 25.
Strike: "not work over 44"
Insert: "work up to 48"

And, as amended, do pass. Report adopted.

RULES (Hannah, Chairman): 1/5/87
HR 1, introduced bill, be amended as follows:

1. Page 2, line 16.
Following: "television;"
Strike: "and"
2. Page 2, line 17.
Following: "legislators"
Insert: "; and members' spouses and their children"
3. Page 2, line 22.
Following: "prohibited"
Insert: "during the session and within 2 hours prior to the commencement of a session and within 2 hours after recess or adjournment"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 1/6/87
HB 11, do pass. Report adopted.
HB 20, do pass. Report adopted.
HB 27, do pass. Report adopted.

TAXATION (Ramirez, Chairman): 1/6/87
HB 12, do pass. Report adopted.

MOTIONS

Representative Wallin moved that HB 14 be taken from the Committee on Local Government and rereferred to the Committee on Taxation. Motion carried.

Representative Wallin moved that HB 32 be taken from the Committee on Local Government and rereferred to the Committee on Taxation. Motion carried.

Representative Rapp-Svrcek moved that Nisbet, Halligan, Mazurek, Kadas, Phillips, Harper, Miller, and Cohen be added as sponsors to HJR 2. Motion carried.

Representative Nisbet moved that Donaldson, Halligan, O'Connell, Strizich, Cody, J. Brown, and Miller be added as sponsors to HB 24. Motion carried.

Representative Thomas moved that Quilici be added as sponsor to HB 54. Motion carried.

Representative Hannah moved that the rules be suspended to allow the hearing of HJR 4 on second and third reading this day. Motion carried.

Representative Hannah moved the rules be suspended to allow the hearing of HR 1 on second reading this day. Motion carried unanimously.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 87, introduced by Devlin. Referred to Committee on Taxation.

HB 88, introduced by Manuel. Referred to Committee on Local Government.

HB 89, introduced by Winslow. Referred to Committee on Judiciary.

HB 90, introduced by Whalen. Referred to Committee on Human Services.

HB 91, introduced by Hayne, Peterson, Manuel, Patterson, Compton, Campbell, Grady, Asay, Switzer, Gilbert. Referred to Committee on Taxation.

HB 92, introduced by Gilbert, (By Request of the Department of Justice). Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 4 - Representative Hayne moved that HJR 4 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke,

Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HR 1 - Representative Hannah moved that HR 1 do pass. Representative Driscoll made a substitute motion that HR 1 be amended. Motion failed. (50-50)

Representative Harper moved that HR 1, second reading copy, be amended as follows:

1. Page 2, line 18.

Strike: "The Committee on Rules may make exceptions"

Insert: "Exceptions may be made"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Vincent moved that HR 1, second reading copy, be further amended. Amendment failed. (49-51)

HR 1, as amended, passed as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Compton, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah,

Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 69

Noes: Addy, Bachini, D. Brown, Cody, Cohen, Connelly, DeMars, Harrington, Kadas, Keenan, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Schye, Spaeth, Stang, Strizich, Vincent, Whalen.

Total 29

Excused: None.

Total 0

Absent or not voting: Hansen, Squires.

Total 2

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (78-21)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HJR 4 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Driscoll, Menahan, Quilici, Vincent, Whalen.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

Representative Keenan delivered a brief eulogy in memory of Louise Kunz, a well-known advocate for low-income people, and the House observed a moment of silence.

Representative Gould asked that Representative and Mrs. Ralph Eudaily be brought to the well of the House, in observance of their 50th wedding

anniversary. They were honored with a bouquet of flowers, a standing ovation, and cake was served in the lobby.

Bob Person and members of his staff at the Legislative Council briefed the members on services they offer, and announced orientation and training sessions for House members on the computer information system.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 7, 1987.

Motion carried.

House adjourned at 5:00 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

THIRD LEGISLATIVE DAY

Helena, Montana
January 7, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Hayne. Pledge of Allegiance to the Flag.

Roll call. All members present except Iverson and Rapp-Svrcek, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/7/87
Correctly printed: HB 11, HB 12, HB 20, HB 27, HB 34.
Correctly engrossed: HJR 4.

APPROPRIATIONS (Thoft, Vice-Chairman): 1/7/87
HB 1, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "\$2,152,512"

Insert: "\$2,062,512"

2. Page 1, line 17.

Strike: "\$1,395,949"

Insert: "\$1,372,949"

3. Page 1.

Following: line 24

Insert: "Revenue Oversight Tax Consultant \$18,000"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman): 1/7/87
HB 41, introduced bill, be amended as follows:

1. Page 1, line 9.

Following: "A"

Strike: "3-YEAR"

Insert: "2-YEAR"

2. Page 1, line 22.

Following: "an"

Strike: "appropriate"

Insert: "actuarially justified"

3. Page 2, line 5.

Following: "a"

Strike: "3-YEAR"

Insert: "2-YEAR"

4. Page 2, line 25.

Following: "every"

Strike: "3"

Insert: "2"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 44, as amended, do not pass. Representative Kitselman moved for the adoption of the adverse committee report. Representative Vincent made a substitute motion that consideration of HB 44 be passed for

the day, due to the illness of the chief sponsor, Representative Rapp-Svrcek. Motion carried.

STATE ADMINISTRATION (Sales, Chairman):

1/7/87

Adverse Committee Reports

HB 18, do not pass.

TAXATION (Ramirez, Chairman):

1/7/87

HB 48, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 93, introduced by Hanson, Ellison, Pavlovich, Jenkins, Peterson, Cobb, Patterson, Phillips. Referred to Committee on Fish and Game.

HB 94, introduced by C. Smith, Thayer, Jones, Grady, Harp, Brandewie. Referred to Committee on Business and Labor.

HB 95, introduced by Addy, Mercer. Referred to Committee on Judiciary.

HB 96, introduced by Patterson, Keller, Ellison, Jenkins, Switzer, Rehberg, Roth, Campbell, Cobb, Hannah, Mercer, Meyers, Koehnke, Keating, Swysgood, Pavlovich. Referred to Committee on Taxation.

HB 97, introduced by Asay, Switzer, Kolstad, Peck, Ellison. Referred to Committee on Taxation.

HB 98, introduced by Manuel. Referred to Committee on Business and Labor.

HB 99, introduced by Sales. Referred to Committee on State Administration.

HB 100, introduced by Sales. Referred to Committee on State Administration.

HB 101, introduced by Simon, Peck, Nathe, Roth, Jenkins, Patterson, Meyers, Switzer, Devlin, Gilbert, Ellison, Peterson, E. Smith, Keating, Manuel, Addy, McCormick, Hammond, Farrell, Harding, Severson, B. Williams, Tveit. Referred to Committee on State Administration.

SPECIAL ORDERS OF THE DAY

Mr. Speaker introduced Kamala Compton, Miss Montana. She is the grand niece of Representative Compton. Kamala addressed the assembly explaining how the Miss Montana program is run.

COMMUNICATIONS AND PETITIONS

REMARKS BY REPRESENTATIVE JOHN VINCENT MINORITY LEADER

January 7, 1987

Mr. Speaker, I appreciate your opening day remarks. I do, however, want to take exception with the theme you expressed that Montana's "economy is lagging behind our sister states".

It is important to recognize that Montana does not stand alone in economic difficulty. We will do a better job of promoting economic development and the creation of new jobs if we avoid laboring under the mistaken illusion that Montana and only Montana is suffering economic hard times.

First of all, the nation's economy is not doing well. In fact, the growth rate for the national economy is the worst it's been in four years.

And many of our "sister states", whether they may be our neighbors or states far from our borders, are suffering as much or more than we are. Most of these states are much like Montana because their economics, like ours, depend on timber, mining, coal, oil, or agriculture.

The following is from the Governor's Weekly Bulletin, published by the National Governors' Association. "Weak economies in many states have cut sharply into revenues that state budget directors have projected for the current fiscal year, forcing more than a third of the states to cut their budgets after they have been enacted. Many of these states have budget stabilization or 'rainy day' funds. But only a few have enough dollars in these funds to keep themselves in the black without going back to their budgets and cutting spending or raising revenues.

For many states, the financial skies are bleak, and the forecast is gloomy. Halfway through fiscal 1987, 21 states so far have cut or have announced plans to cut their budgets, and several other states are expected to soon follow suit. In fiscal 1983, 39 states were forced to slash budgets."

Mr. Speaker, here's what the Governors' Weekly Bulletin reports on the economic and budget problems other states are facing.

Alaska. Here, the proposed fiscal 1988 budget is \$500 million less than the original fiscal 1987 budget. But it is still \$600 million short of being balanced.

Oklahoma. Available revenues were recently certified for fiscal 1988; an estimated \$1.9 billion will flow into state coffers, but this is down...from six years ago....

Texas. In a special session in October to resolve a \$2.1 billion shortfall, the state legislature raised the sales tax and cut more than \$500 million in spending. Still, a \$600 million shortfall remained, which the legislature resolved by issuing short-term debt."

Wyoming, so often touted as being better off than Montana, faces serious problems. "In December, new revenue estimates showed a \$56 million shortfall. So far, the state's two-year, fiscal 1987-88 budget period has realized a \$175 million revenue shortfall — 25 percent of total state revenues. To date, the state has made two budget cuts totaling \$72 million....

North Dakota. In their special session the first week in December, Governor George Sinner and the legislature cut the budget for the second time. The most recent cuts total \$8.4 million. In addition, the \$27 million pending deficit was eliminated by raising the sales tax from 4 to 5 percent and by increasing the personal income tax (which is based on federal income tax liability) from 10.5 to 14 percent. Both increases will take effect this month. The next two-year budget period looks bleak. Not only will there be more budget cuts, but Governor Sinner has proposed raising the personal income tax again, reducing the corporate income tax deduction for federal taxes paid, broadening the sales tax base, and raising the tax rates for cigarettes, gaming, and insurance premiums.

Utah. Here, there have been two budget-balancing acts for this fiscal year. In September, Governor Norman H. Bangerter cut the budget 3 percent to save \$32 million. In their recent special session, legislators enacted a second budget cut of \$9 million. They also adopted a one-year, 4 percent personal income surtax for the 1986 tax year, to bring an additional \$20 million into the treasury. Governor Bangerter has already announced substantial tax increases for the next budget period, on personal and corporate income, sales, and gasoline and cigarettes. The governor has also proposed creating a new soft drink tax.

In summary: Many states that are already hard hit are forecasting gloomy economic conditions and are bracing themselves for continued stormy economic weather."

Mr. Speaker, we could dwell on the negative, but Montana has much to offer and build on.

Mike Fitzgerald, past President of the Montana International Trade Commission said, "Beyond the next three to five years, Montana's economic future is potentially brighter than it has been in the last 100 years.

The Dun and Bradstreet Corporation says Montana had the second highest percentage of growth in new business starts in the nation during the first five months of 1986. Montana's new business incorporations increased by 22.4 percent during that period. Nationally, the growth of new business incorporations during the period was 6.7 percent."

Mr. Speaker, this is a time of economic opportunity. A few years from now when the work of this session of the legislature is evaluated objectively, I believe that it will be the progress we make on creating new jobs for Montana workers and the development of our economy that will really determine the kind of job we did and the contribution we made to the future of Montanans. There's much more that we can do to improve our economy and create new jobs. We'll do a better job working to accomplish these goals if we avoid laboring under the mistaken idea that "it's only Montana" that faces tough economic times.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 8, 1987.

Motion carried.

House adjourned at 4:00 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FOURTH LEGISLATIVE DAY

Helena, Montana
January, 8, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by the Very Reverend Arch Hewitt. Pledge of Allegiance to the Flag.

Roll call. All members present except Kadas, Kennerly, Simon, Williams, and Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the second and third legislative days, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/8/87

Correctly printed: HB 1, HB 23, HB 41, HB 48, HB 50, HB 63.

BUSINESS AND LABOR (Kitselman, Chairman): 1/6/87

HB 22, introduced bill, be amended as follows:

1. Page 3, line 18.

Following: "sent"

Insert: "by certified mail"

2. Page 6, line 3.

Following: "sent"

Insert: "by certified mail"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 44, as amended, do not pass. Chairman Kitselman moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 73

Noes: Addy, Bardanouve, D. Brown, Cohen, Connelly, Corne', Darko, Fritz, Hansen, Harper, Harrington, Keenan, Menahan, Peck, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Stang, Vincent, Whalen.

Total 22

Excused: Kadas, Kennerly, Simon, Williams, Winslow.

Total 5

Absent or not voting: None.

Total 0

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman): 1/7/87

HB 23, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND"

2. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 2, line 4.

Following: "course"

Strike: "and scope"

4. Page 2, line 7.

Following: "the"

Insert: "unremarried"

5. Page 2.

Following: line 7

Insert: "the surviving"

6. Page 2.

Following: line 14

Insert: "NEW SECTION. Section 2. Effective date. This act is effective July 1, 1987."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/8/87

HB 50, introduced bill, be amended as follows:

1. Page 3, line 5.

Strike: "equipment"

Insert: "apparatus"

And, as amended, do pass. Report adopted.

HB 63, do pass. Report adopted.

Adverse Committee Reports

HB 18, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 76

Noes: Addy, Bradley, Cohen, Connelly, Corne', Daily, DeMars, Harper, Harrington, Keenan, Nisbet, Pavlovich, Raney, Ream, Strizich, Vincent, Whalen.

Total 17

Excused: Kadas, Kennerly, Simon, Williams, Winslow.

Total 5

Absent or not voting: Driscoll, Hoffman.

Total 2

MOTIONS

Representative Sales moved that HB 99 be taken from the Committee on State Administration and rereferred to the Committee on Local Government. Motion carried.

Representative Lory moved that HB 82 be taken from the Committee on Human Services and rereferred to the Committee on Judiciary. Motion carried.

Representative Donaldson moved that McCallum, Mazurek, Grady, and Eudaily be added as sponsors to HB 39. Motion carried.

Representative Harper moved that Thoft, Keller, Schye, Grady, Poff, Weeding, Gage, Stang, Galt, and Rapp-Svrcek be added as sponsors to HB 61. Motion carried.

Representative Hannah moved that the rules be suspended to allow the consideration of HB 1 on second and third reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 102, introduced by Grady, Brandewie, Menahan, Campbell, Kolstad, Meyers, Hayne, Rapp-Svrcek, Lynch, Cobb, Tveit, Swysgood, Spaeth, Beck, Jones, Abrams, Anderson, Galt, Giacometto, Jenkins, Jacobson, Hanson, Keller, Poff, Hoffman, C. Smith, Marks, Harper. Referred to Committee on Taxation.

HB 103, introduced by Schye. Referred to Committee on Local Government.

HB 104, introduced by Daily, Gilbert, Pavlovich. Referred to Committee on Fish and Game.

HB 105, introduced by Cobb. Referred to Committee on Education and Cultural Resources.

HB 106, introduced by Kadas, Peck, Bachini, Eudaily. Referred to Committee on State Administration.

HB 107, introduced by Winslow, Bishop. Referred to Committee on State Administration.

HB 108, introduced by Simon, (By Request of the Legislative Audit Committee). Referred to Committee on Agriculture.

HB 109, introduced by Swysgood, Campbell, Patterson, Daily, Thomas, Meyers, Glaser, Jenkins, Anderson, Wallin. Referred to Committee on State Administration.

HB 110, introduced by Thomas. Referred to Committee on Judiciary.

HB 111, introduced by Thomas. Referred to Committee on Judiciary.

HB 112, introduced by Addy. Referred to Committee on Judiciary.

HB 113, introduced by Brandewie. Referred to Committee on Local Government.

HB 114, introduced by Addy. Referred to Committee on Human Services.

HB 115, introduced by Cody, Raney, Darko, Campbell, Manuel, Poff, Nisbet, Driscoll, Roth. Referred to Committee on Rules.

HB 116, introduced by J. Brown, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services.

HB 117, introduced by Hanson, Nelson, B. Brown. Referred to Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Vincent in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 11 - Representative Manuel moved that HB 11 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Kadas, Kennerly, Simon, Williams, Winslow.

Total 5

Absent or not voting: Swysgood.

Total 1

HB 12 - Representative Nathe moved that HB 12 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Kadas, Kennerly, Simon, Williams, Winslow.

Total 5

Absent or not voting: Harrington.

Total 1

HB 20 - Representative Hanson moved that HB 20 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Whalen, Mr. Speaker.
Total 88

Noes: Devlin, Gould, Menke, Meyers, Thoft, Thomas.
Total 6

Excused: Kadas, Kennerly, Simon, Williams, Winslow.
Total 5

Absent or not voting: Bardanouve.
Total 1

HB 27 - Representative Spaeth moved that HB 27 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.
Total 91

Noes: Meyers, Sales, Sands.
Total 3

Excused: Kadas, Kennerly, Simon, Williams, Winslow.
Total 5

Absent or not voting: Bardanouve.
Total 1

HB 34 - Representative Spaeth moved that HB 34 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.
Total 89

Noes: Asay, Cohen, Fritz, Meyers, Switzer.

Total 5

Excused: Kadas, Kennerly, Simon, Williams, Winslow.

Total 5

Absent or not voting: Bardanouve.

Total 1

Representatives Simon and Kadas present at this time.

HB 1 - Representative Donaldson moved that HB 1 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 89

Noes: Giacometto, Hannah, Mercer, Meyers, Miller, Peck, Spaeth, Swysgood.

Total 8

Excused: Kennerly, Williams, Winslow.

Total 3

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Vincent moved the adoption of the committee report. Report adopted. (96-0)

REPORTS OF STANDING COMMITTEES

FISH AND GAME (Ellison, Chairman):

1/8/87

Adverse Committee Reports

HB 33, do not pass.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 118, introduced by Nathe. Referred to Committee on Education and Cultural Resources.

HB 119, introduced by Nathe, Sales, Devlin, Thoft, Jenkins, Swift. Referred to Committee on Business and Labor.

MOTIONS

Representative Donaldson moved that HB 20 be taken from third reading and referred to the Committee on Appropriations. Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 1 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 90

Noes: Hannah, Koehnke, Mercer, Meyers, Miller, Peck, Swysgood.

Total 7

Excused: Kennerly, Williams, Winslow.

Total 3

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 10:30 a.m., January 9, 1987.

Motion carried.

House adjourned at 4:38 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FIFTH LEGISLATIVE DAY

Helena, Montana
January 9, 1987

House Chambers
State Capitol

House convened at 10:45 a.m., Mr. Speaker in the Chair. Invocation by Representative Hannah. Pledge of Allegiance to the Flag.

Roll call. All members present except Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fourth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

1/9/87

Correctly printed: HB 22.

Correctly engrossed: HB 11, HB 12, HB 27, HB 34.

SPECIAL ORDERS OF THE DAY

The Sergeant-at-Arms escorted the elected state officials, members of the Supreme Court, and guests into the chamber.

Senators Lybeck, Himsl, and Hirsch entered to notify the House that the Senate was ready to convene in joint session.

Members of the Senate were escorted into the House chamber.

Speaker Marks introduced Senator Norman, President of the Senate, and yielded the Chair to him.

Senator Van Valkenburg moved that the body resolve itself into a joint session for the purpose of receiving the State of the State Address from His Excellency, the Honorable Ted Schwinden, Governor of the State of Montana. Motion carried.

Senator Van Valkenburg moved that the President be authorized to appoint a committee of four to notify His Excellency, the Governor, that the House and Senate are in joint session and ready to receive him. Motion carried.

President Norman appointed Senators Lynch and Galt, and Representatives Lory and Bardanouve, and discharged them to escort the Governor to the House chambers.

Governor Schwinden was escorted to the rostrum by the escort committee.

Pastor Olson gave the invocation. The Pledge of Allegiance to the Flag followed.

After being presented to the members of both houses by President Norman, Governor Schwinden delivered the following address:

STATE OF THE STATE MESSAGE
PRESENTED TO THE
FIFTIETH LEGISLATURE
AND TO THE PEOPLE OF MONTANA
BY

GOVERNOR TED SCHWINDEN

Friday, January 9, 1987, at 11 a.m.

Mr. President, Mr. Speaker, members of the Fiftieth Legislature, elected state officials, fellow Montanans.

At the close of our first century of statehood, this legislative session is inevitably historic. The Montana Centennial Commission, created in 1985, is currently recognizing those Century Citizens who helped shape our history — pioneers for whom hauling water and handcranking a Model T are not a matter of history, but of living memory. The early settlers came, drawn by visions of a rich vein of gold, or 320 acres of their own golden grain.

Montana continues to provide plenty of opportunity for those who seek it. But, we must recapture the spirit of optimism without which yesterday's prospector and homesteader would never have taken a chance. Today, our horizons — and our potential — stretch across the Pacific and around the world to wherever advanced telecommunications and our own ingenuity can take us.

A Seeley Lake resident recently sent me some unsolicited — but timely — advice: "I'm tired of hearing about our sagging economy," wrote Elinor Williamson, "... if we all just work together, we can overcome any problems our state has."

She was right — and 'right on!'

This Fiftieth Session is as much a beginning as an ending, as much a prelude to our second century as the conclusion of our first. Our Montana heritage — our sense of personal independence tempered by a neighborly commitment to community — will guide us into our second century.

The task we share is to balance a pragmatism mandated by short-term economic adversity with a vision of a better tomorrow. We must strengthen the emerging public-private partnership to assure responsible progress. And, we must exercise courage as we pursue reform; set new priorities as we respond to change.

Six years ago, in my first address as Montana's governor, I pledged that I would make "cost-conscious, people-sensitive management" the standard of my administration. We have kept that commitment. From the involvement of the Council on Management to improve government efficiency . . . to the creation of the Montana Ambassadors' network to involve business people in strengthening our economy . . . to the ongoing use of the Priorities for People process in shaping our human service priorities . . . this administration has responded to the changing needs of our state.

Today, I challenge our educational institutions to do the same. Last November 4th, our citizens were given a choice between their historic commitment to quality public education and Constitutional Initiative 27's promise of doing away with property taxes. To their credit, they took the long view . . . and Montana's children came out the winners.

If young Montanans are to remain the winners, we must have educational excellence and educational reform . . . and it must occur at every level.

Simply putting more money into schools is not the answer. Montanans already spend a greater percentage of their income on each school child than do Americans in all but three other states. Where does the money go?

Forbes Magazine last week pointed out that, in the past 30 years, spending on education has risen from four to nearly seven percent of the GNP. But, during that same period, the proportion of school operating budgets spent on teachers' salaries has declined by 15 percent. Montana statistics also point to the significant bite administrative costs are taking. Last year,

while Montana ranked 43rd in the nation in student enrollment, we were 10th in the number of school districts we support.

Clearly, Montanans are willing to pay for quality, but they expect — and deserve — accountability. We must develop a funding formula that encourages both administrative efficiency and educational excellence.

I have asked that the Legislature continue to dedicate approximately one-fourth of all general fund revenues to higher education, and allow universities to reinvest the research dollars they earn. A quality university system is critical in responding to the transitional economy, but universities must also respond to change. They must adjust to the declining enrollments dictated by the end of the baby boom and make quality — not quantity — the priority of the system. From our experience with the 1982 management study of state government, I am confident that the \$150,000 I have proposed for a similar study of our universities will be a sound and rewarding investment.

As we pursue excellence — and accountability — in our educational system, we must also examine our responsibilities to Montana's troubled youth. Fifteen months ago, in response to growing concern that our youth services system — and our troubled youngsters — were suffering from "too many cooks," I asked a group of concerned Montanans to recommend a better system. The string of teenage tragedies in recent months has shaken first one community and then another — making clear the urgent need for change. To ensure that today's troubled youth don't become tomorrow's troublesome adults, I ask the Legislature to support creation of a new Department of Family Services. By consolidating responsibility and current funding into a single new agency, we can make sure that no children — and no tax dollars — are lost in the "institutional shuffle."

If the Legislature supports the funding levels I have proposed, there will be fewer people on the state payroll in 1987 than at any time since 1975. We've been getting smaller, yes; less responsive, no . . . because the men and women who work for the state are working harder. State employees continue to give that extra something that frequently prompts people from around the state to drop me a line expressing their appreciation for a job well done.

Together we can balance the state budget, provide needed services, and create expanded opportunity — the kind of opportunity the 1983 and 1985 Legislatures had in mind when they approved the initial Build Montana economic development programs and the far-sighted alliance for investment in technology research and development.

This Legislature must continue to address the shortage of venture capital that threatens to undermine our current and future economic initiatives. Like a newly sprouted seed, good business ideas must be nurtured before we can expect them to flourish on their own. I propose that we establish a \$16 million bonding program through the Science and Technology Alliance, and that we invest a small portion of state retirement funds in established venture capital firms. Together with the initiatives to expand the capital company credit contained in my tax reform package, these actions would put good ideas — and more Montanans — to work within our borders.

We must also ensure that our existing businesses remain competitive and that Montanans remain confident in their economy and in their government. To that end, I have recommended a major reform of our tax structure and the workers' compensation system.

Court decisions have eroded legislative and executive control of the workers' compensation system, and spiralling costs have shaken public confidence in the program. I urge this Legislature to adopt the changes proposed by the Workers' Compensation Advisory Council and the Department of Labor.

Montana's tax system also demands reform. The tax initiatives I announced in November will achieve greater equity and simplicity, while encouraging growth and expanded investment. Responsible tax reform, and a budget balanced without a tax increase, will strengthen Montana's positive climate for economic development. If we are to prevent major tax increases, legislative approval of the temporary transfer of coal tax revenues to the general fund is imperative.

Avoiding tax increases is essential — avoiding tax debate, all but impossible. When a majority of voters cast their ballots in favor of Initiative 105, they guaranteed that the sales tax issue would be on the 1987 legislative agenda.

The proponents of I-105 clearly wanted a sales tax, but were unwilling to put the question directly to the voters. That is not the way we conduct politics in Montana. Let's get the issue out into the open now by placing a clear and decisive choice before the voters in 1988.

I remain convinced that a sales tax is neither necessary nor desirable for Montana. But, if Montana is to have a sales tax, it must be designed to encourage development, to create jobs and to provide relief for homeowners — not to increase government spending. And it must have the support of the people of this state. I propose that this Legislature place on the ballot a referendum to repeal all taxes on personal property, exempt from taxation the first \$16,500 of the market value of residential houses, and replace the lost revenue with a three percent sales tax. The voters of this state deserve the opportunity to make that decision. I trust their judgment.

The people of Montana can take pride in their good judgment — in their wise commitment to the preservation of a quality environment, and their support of legislation enacted over the past two decades to protect our soil, air, water, and wildlife. Government and industry have demonstrated that such laws are compatible with the economic development we seek. One need look no further than the new Centennial Minerals mine near Jefferson City or the recent discharge permit for Stone Container Corporation's pulp mill at Frenchtown for positive examples.

It's time to take the next step forward. I propose that we dedicate six percent of the Resource Indemnity Trust earnings to a special "Superfund Trust." By providing the matching dollars necessary for Montana to make full use of the federal superfund program, the new trust would guarantee that we continue to clean up the mistakes made in our first century.

One hundred years ago, the winter of 1886-87 brought Montana's open-range cattle days to a painful close — but Montana survived. In the first half of this decade, the global marketplace has dealt us setbacks as devastating as the chilling blizzards of a century ago . . . but now, as then, Montana will survive and prosper.

In early December, the Montana Grain Growers met in Great Falls. Perhaps not surprising for a group that has been the traditional wellspring of next-year optimism, Montana farmers are going into the new year wearing buttons like this . . . buttons that say, "Yes we can."

Over the next four months, we can forge progressive new policies, shaped in part by adversity but more by the creativity and perseverance that make

us uniquely Montanan. And then we can look our grandchildren right in the eye and say with pride — yes we did!

Pastor Olson gave the benediction, and the Governor was escorted from the chamber by the escort committee.

Senator Van Valkenburg announced that the Governor's office will provide for the printing and distribution of the State of the State message this year.

Senator Van Valkenburg moved that the joint session be adjourned. Motion carried. The members of the Senate retired from the House chamber.

Representative Hannah moved that the House stand in recess until 3:30 p.m. Motion carried.

House recessed at 11:35 a.m.

House reconvened at 3:30 p.m.

Mr. Speaker in the Chair.

Representatives Donaldson and Hayne excused at this time.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Sales, Chairman):

1/9/87

HJR 2, introduced bill, be amended as follows:

1. Title, line 9.

Following: "ASIA"

Insert: "; AND DIRECTING THAT THE PRISONER OF WAR
FLAG BE FLOWN AT THE STATE CAPITOL ON SEPTEMBER
19 EACH YEAR"

2. Page 2, line 9.

Strike: ";

Insert: ".

3. Page 2, line 15.

Strike: ";

Insert: ".

4. Page 2.

Following: line 21

Insert: "(4) That the Montana Legislature direct that the POW flag be flown at the Montana State Capitol on September 19 each year (National MIA-POW Recognition Day) to demonstrate the commitment that the citizens of the State of Montana have to our brave men who fought for our country."

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

FISH AND GAME (Ellison, Chairman):

1/9/87

Adverse Committee Reports

HB 33, do not pass. Chairman Ellison moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould,

Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Williams, Mr. Speaker.

Total 82

Noes: Bradley, Cobb, Cody, Cohen, Fritz, Harper, Manuel, Mercer, Nathe, Thomas, Vincent, Whalen.

Total 12

Excused: Donaldson, Hayne, Winslow.

Total 3

Absent or not voting: Kadas, Menke, Wallin.

Total 3

TAXATION (Ramirez, Chairman):

1/9/87

Adverse Committee Reports

HB 46, do not pass.

HB 55, as amended, do not pass.

MOTIONS

Representative Kitselman moved that consideration of HB 41, second reading this day, be passed until the 10th legislative day. Motion carried.

Representative Rapp-Svrcek moved that McCallum be added as a sponsor to HJR 2. Motion carried.

Representative Peck moved that Menahan and Keenan be added as sponsors to HB 51. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 120, introduced by Bradley, Peck, Miles, Keenan, Gould, Gilbert. Referred to Committee on Judiciary.

HB 121, introduced by Kadas. Referred to Committee on Education and Cultural Resources.

HB 122, introduced by Peck, Jergeson, Thayer, Nathe, (By Request of the Department of Commerce). Referred to Committee on Business and Labor.

HB 123, introduced by Bradley, Lory, Giacometto, Spaeth. Referred to Committee on Judiciary.

HB 124, introduced by Nelson, Nathe, Gilbert, Peck, Sales, Hannah, Harding, Donaldson, Mercer, Thomas, Hayne. Referred to Committee on Local Government.

HB 125, introduced by Nelson, Nathe, Gilbert, Peck, Sales, Hannah, Harding, Donaldson, Mercer, Thomas, Hayne. Referred to Committee on Local Government.

HB 126, introduced by Harper, Lynch, Hager, Rasmussen, Bulger, Poulsen, Stang, Gould, Roth, Strizich, Stratford, Hirsch, Vincent, Bachini, McCormick, Nisbet, Grady, McCallum, Rapp-Svrcek, Hansen, O'Connell, J. Brown, Kitselman, Darko, Marks, Jones, C. Smith, Nelson, Moore, Brandewie, D. Brown, Phillips, Rehberg, Jenkins,

Keenan, Peterson, Cobb, Regan, Addy, Cohen, Halligan, DeMars, Swysgood, Whalen, Schye, Compton, Pistoria, Harding, Kadas, Keller, Asay, Miles, Holliday, Pavlovich, Lybeck, Yellowtail, Bradley, Kennerly, Crippen, Miller, Cody, Simon, Gilbert, Hoffman, Swift, Thayer, B. Brown, Mercer, Eudaily, Lory, Patterson, McLane. Referred to Committee on Human Services.

HB 127, introduced by Swift, Eudaily, Thomas, Nathe, Hoffman, Severson. Referred to Committee on Judiciary.

HB 128, introduced by Hansen, Connelly, Fritz. Referred to Committee on Human Services.

HB 129, introduced by Driscoll, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.

HB 130, introduced by Driscoll, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.

HB 131, introduced by Ellison. Referred to Committee on Fish and Game.

HB 132, introduced by Fritz. Referred to Committee on State Administration.

HB 133, introduced by M. Williams, Blaylock, Harrington, B. Brown, Harp, Mazurek, (By Request of the Department of Revenue). Referred to Committee on Business and Labor.

HB 134, introduced by Addy. Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Hayne present at this time.

HB 48 - Representative Harrington moved that HB 48 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gould, Grady, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Smith, Squires, Stang, Stratford, Strizich, Swift, Thoft, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 79

Noes: Asay, Campbell, Devlin, Gilbert, Glaser, Grinde, Hannah, Hanson, Hayne, Jenkins, Jones, Keller, Ramirez, Rehberg, Simon, Spaeth, Switzer, Swysgood, Thomas.

Total 19

Excused: Donaldson, Winslow.

Total 2

Absent or not voting: None.

Total 0

HB 63 - Representative Hanson moved that HB 63 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Whalen, Mr. Speaker.
Total 86

Noes: Bulger, Cobb, Cody, Driscoll, Poulsen, Raney, Swysgood, Vincent, Wallin.
Total 9

Excused: Donaldson, Winslow.
Total 2

Absent or not voting: Asay, D. Brown, Williams.
Total 3

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report. Report adopted. (94-1)

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Kitselman, Chairman):
HB 30, introduced bill, be amended as follows:

1/9/87

1. Page 1.

Following: line 11

Insert: "NEW SECTION. Section 1. Purposes. The legislature finds and declares that the purposes of 16-3-221 through 16-3-226 and [this act] are to assure continued interbrand competition in malt beverage sales through competing independent wholesalers and to assure breweries the ability to protect the reputations of their products through quality control arrangements."

Renumber: subsequent sections

2. Page 2, line 25.

Following: "retailer"

Insert: ", other than an all-beverages licensee,"

3. Page 3, line 5.

Following: "form."

Insert: "An all-beverages licensee may upon presentation of his license personally obtain from any wholesaler's warehouse such quantities of beer as he and the wholesaler may agree to buy and sell."

4. Page 6.

Following: line 22

Insert: "NEW SECTION. Section 10. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 10:30 a.m., January 10, 1987.

Motion carried.

House adjourned at 3:55 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SIXTH LEGISLATIVE DAY

Helena, Montana
January 10, 1987

House Chambers
State Capitol

House convened at 10:30 a.m., Mr. Speaker in the Chair. Invocation by Representative Cody. Pledge of Allegiance to the Flag.

Roll call. All members present except Asay, Menke, Miller, Winslow, Pavlovich, and Menahan, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

1/10/87

Correctly printed: HB 30, HJR 2.

Considered correctly engrossed: HB 48, HB 63.

Correctly enrolled: HR 1.

Examined by the sponsor and found to be correct:

HR 1 - Hannah

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman):

1/9/87

HB 40, introduced bill, be amended as follows:

1. Page 9.

Following: line 13

Insert: "Section 7. Establishment of fees — grain marketing fund account. (1) The department shall by rule establish reasonable fees for the inspection, certification, weighing, and sampling of grain under the program authorized in [section 2]. The department shall design such fees to defray the costs of providing services and carrying out its duties under [this act].

(2) There is a grain marketing fund account in the state special revenue fund. The money in the account is allocated to the department for payment of expenses incurred in the administration of [this act].

(3) All fees collected under [this act] must be deposited in the grain marketing fund account."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent HB 40

A statement of intent is required for this bill because it grants the department of agriculture authority to adopt rules for the administration of a 100% Montana limited blended grain marketing program. The rules adopted by the department should supplement and interpret the provisions of this bill. In addition, the rules should govern the inspection and certification of grain under the program.

In adopting its rules, the department of agriculture should consider the following:

(1) The legislature intends that the department of agriculture establish a program to assist producers, agricultural cooperatives, and commodity dealers in marketing quality-preserved Montana grain in both foreign and domestic markets.

(2) The legislature intends that, under this program, the department should promote the marketing of Montana grain by distinguishing it as a premium commodity and by ensuring the quality and identity of delivered shipments.

(3) The program established under this bill is intended to be a voluntary marketing program, and any person who wishes to describe or market grain as 100% Montana limited blended grain is eligible to participate in the program if such person can provide grain that meets the requirements of section 4.

(4) If necessary, the department may register or issue a certificate of registration for any producer, commodity dealer, warehouseman, grain handler, shipper, or other person who has agreed to provide to buyers grain that meets the requirements of section 4.

(5) The department may establish standards for all containers, carriers, and other facilities that may be used to store, handle, or transport 100% Montana limited blended grain.

(6) The department or its designee should inspect and certify all grain described or marketed as 100% Montana limited blended grain to ensure that it meets the requirements for such grain under section 4.

(7) The department should not require any grading or inspection of grain that conflicts with the United States Grain Standards Act.

(8) All grain bought and sold in Montana, including 100% Montana limited blended grain, should be graded and inspected in accordance with official federal standards for such grain unless the federal grain inspection service waives the requirement for official federal inspection as provided for in 7 U.S.C. 77.

(9) The department should appoint personnel to investigate grain marketing and handling practices and to enforce all relevant state laws and regulations.

(10) The legislature expressly intends that the department of agriculture enter into agreements with other state governments to ensure that 100% Montana limited blended grain is not intermingled with dissimilar grain or combined with dockage, water, or foreign material, as prohibited under section 4. For this purpose, the department should seek agreements with appropriate governmental agencies in such states as Idaho, Oregon, and Washington.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman): 1/9/87

HB 35, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "INCREASING"

Insert: "CHANGING"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

1/9/87

HB 88, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AMENDING SECTION 7-34-2131, MCA;"

2. Pages 1 through 2.

Strike: everything following the enacting clause

Insert: "Section 1. Hospital district capital replacement fund. A hospital district may establish a capital replacement fund. The fund may be used only for the replacement of property, plant facilities, or equipment. The cost of such capital equipment must exceed \$5,000 and have a life expectancy of 5 years or more.

Section 2. Effective date. This act is effective July 1, 1987."

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 49, do not pass.

STATE ADMINISTRATION (Sales, Chairman):

1/9/87

Adverse Committee Reports

HJR 3, do not pass.

TAXATION (Ramirez, Chairman):

1/10/87

Adverse Committee Reports

HB 46, do not pass. Chairman Ramirez moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 77

Noes: Cohen, Connelly, Daily, Driscoll, Fritz, Harper, Harrington, Kadas, Koehnke, Moore, Quilici, Ream, Vincent, Whalen, Williams.

Total 15

Excused: Asay, Menahan, Menke, Miller, Pavlovich, Winslow.

Total 6

Absent or not voting: D. Brown, Strizich.

Total 2

HB 55, as amended, do not pass. Chairman Ramirez moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Compton, Corne', Darko, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Mercer, Meyers, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 63

Noes: Bachini, Bardanouve, Bulger, Cobb, Cody, Cohen, Connelly, Daily, DeMars, Driscoll, Fritz, Harper, Harrington, Hoffman, Kadas, Keenan, McCormick, Miles, Moore, Nisbet, Peck, Quilici, Ream, Sands, Schye, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 31

Excused: Asay, Menahan, Menke, Miller, Pavlovich, Winslow.

Total 6

Absent or not voting: None.

Total 0

MOTIONS

Representative Nelson moved that Smith, Jones, Bradley, Vincent, Brandewie, Harp, and Corne' be added as sponsors on HB 17.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 135, introduced by Addy, Spaeth. Referred to Committee on Judiciary.

HB 136, introduced by Driscoll, Grady, Spaeth, Darko, Harrington, Bradley, Addy, Whalen, J. Brown, Harp, Keenan, Brandewie, Menke, Donaldson, Menahan, Russell, Bishop, Hager, Rasmussen, Blaylock, Bardanouve, C. Smith, Lory, Lybeck, Haffey, Weeding, Mazurek, McCormick, Crippen. Referred to Committee on Taxation.

HB 137, introduced by Jenkins. Referred to Committee on Fish and Game.

COMMUNICATIONS AND PETITIONS

Representative Bob Marks, Speaker
House of Representatives
Box 155 Capitol Station
Helena, Montana 59620-0144

January 9, 1987

Dear Representative Marks:

The ten percent cumulative across-the-board cuts prompted the Department to review the necessity of providing banking services to state employees at the Treasury window. We eliminated that service in October and were able to reduce .25 FTE in the Treasury Bureau as a result.

I apologize for not notifying you sooner. This is an inconvenience state employees have lived with since last fall.

If you decide to include funding in the feed bill for this service, like you do for the extended post office hours, we will be happy to reopen the window. The cost would be approximately \$1,700.

Sincerely,

Ellen Feaver
Director

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Simon in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 22 - Representative Harper moved that HB 22 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen,

Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Asay, Menahan, Menke, Miller, Pavlovich, Winslow.

Total 6

Absent or not voting: None.

Total 0

HB 23 - Representative Keenan moved that HB 23 do pass. Motion failed. (37-56)

Representative Hannah moved that HB 23 do not pass. Motion carried as follows:

Ayes: Bardanouve, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Darko, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, Manuel, Meyers, Nathe, Nelson, Peck, Peterson, Phillips, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 58

Noes: Addy, Bachini, Bradley, D. Brown, Bulger, Cohen, Connelly, Daily, DeMars, Driscoll, Fritz, Gould, Hansen, Harrington, Keenan, Kennerly, McCormick, Mercer, Miles, Moore, Nisbet, O'Connell, Patterson, Pistoria, Poff, Quilici, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 36

Excused: Asay, Menahan, Menke, Miller, Pavlovich, Winslow.

Total 6

Absent or not voting: None.

Total 0

HB 50 - Representative Cobb moved that HB 50 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 90

Noes: Addy, Grinde, Switzer.

Total 3

Excused: Asay, Menahan, Menke, Miller, Pavlovich, Winslow.

Total 6

Absent or not voting: D. Brown.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Simon moved the adoption of the committee report. Report adopted. (74-19)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Representative Pavlovich present at this time.

HB 11 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Asay, Menahan, Menke, Miller, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 12 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Asay, Menahan, Menke, Miller, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 27 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: Sales, Sands.

Total 2

Excused: Asay, Menahan, Menke, Miller, Winslow.

Total 5

Absent or not voting: Phillips.

Total 1

HB 48 passed as follows:

Ayes: Addy, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gould, Grady, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 78

Noes: Campbell, Devlin, Ellison, Gilbert, Glaser, Grinde, Hannah, Hansen, Hayne, Jenkins, Rehberg, Sales, Switzer, Swysgood.

Total 14

Excused: Asay, Menahan, Menke, Miller, Winslow.

Total 5

Absent or not voting: Bachini, Bardanouve, D. Brown.

Total 3

HB 34 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser,

Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.
Total 88

Noes: Cohen, DeMars, Driscoll, Fritz, Kadas, Switzer, Whalen.
Total 7

Excused: Asay, Menahan, Menke, Miller, Winslow.
Total 5

Absent or not voting: None.
Total 0

HB 63 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Moore, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Mr. Speaker.
Total 82

Noes: Bulger, Cobb, Cody, Driscoll, Hoffman, Kadas, Nathe, Nisbet, Peck, Poulsen, Raney, Rapp-Svrcek, Wallin.
Total 13

Excused: Asay, Menahan, Menke, Miller, Winslow.
Total 5

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The speaker introduced this week's pages and thanked them for their services.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 12, 1987.

Motion carried.

House adjourned at 11:24 a.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SEVENTH LEGISLATIVE DAY

Helena, Montana
January 12, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Reverend John Fischer. Pledge of Allegiance to the Flag.

Roll call. All members present except Harrington and Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifth and sixth legislative days, find the same to be correct.

Hayne, Chairman

MOTIONS

Representative Sales moved that HJR 3 be taken from standing committee report and rereferred to the Committee on State Administration. Motion carried. (87-10)

Representative Kitselman moved that HB 30 be taken from second reading and rereferred to the Committee on Business and Labor for clarification. Motion carried.

Representative Donaldson moved that Blaylock, Rasmussen, Lory, M. Williams, and Ream be added as sponsors to HB 39. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/12/87
Correctly printed: HB 35, HB 40, HB 88.
Correctly engrossed: HB 22, HB 50.

JUDICIARY (Lory, Chairman): 1/12/87
HB 13, introduced bill, be amended as follows:

1. Title, line 10.
Following: "ANNOTATED"
Insert: "; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY PROVISION"

2. Page 1.
Following: line 23
Insert: "NEW SECTION. Section 2. Effective date — applicability. This act is effective July 1, 1987, and applies only to bankruptcy petitions filed on or after July 1, 1987."

And, as amended, do pass. Report adopted.

HB 37, introduced bill, be amended as follows:

1. Page 1, line 18.
Strike: "clerk of the"

2. Page 1, line 20.
Following: "record."
Insert: "The order must adequately identify the defendant, such as by sex, race, date of birth, and the current status of the charges to be expunged."

And, as amended, do pass. Report adopted.

HB 42, introduced bill, be amended as follows:

1. Title, line 6.

Following: "23-2-321"

Insert: ", 27-1-701,"

2. Page 2.

Following: line 13

Insert: "Section 2. Section 27-1-701, MCA, is amended to read: '27-1-701. Liability for negligence as well as willful acts. Everyone Except as otherwise provided by law, everyone is responsible not only for the results of his willful acts but also for an injury occasioned to another by his want of ordinary care or skill in the management of his property or person except so far as the latter has willfully or by want or ordinary care brought the injury upon himself.'"

Renumber: subsequent section

3. Page 2, line 16.

Following: "or"

Insert: "his agent or"

4. Page 2, line 16.

Strike: "landowner" through "tenant" on line 24

Insert: "person who makes recreational use of any property in the possession or under the control of another, with or without permission and without giving a valuable consideration therefor, does so without any assurance from the landowner, his agent, or his tenant that the property is safe for any purpose. The landowner, his agent, or his tenant owes the person no duty of care, except that the landowner, his agent, or his tenant"

5. Page 3, line 1.

Strike: "only"

And, as amended, do pass. Report adopted.

HB 53, do pass. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

1/9/87

Adverse Committee Reports

HB 49, do not pass. Chairman Wallin moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 93

Noes: Bulger, Cody, Harper, Peterson, Phillips.

Total 5

Excused: Harrington, Winslow.

Total 2

Absent or not voting: None.

Total 0

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House:

1/10/87

HJR 4, introduced by Hayne

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

1/10/87

HB 1, introduced by Donaldson

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 138, introduced by Raney, Addy, Campbell, Cody, Miles, Nathe, Kadas, Driscoll, Brandewie, Fritz, Whalen. Referred to Committee on Taxation.

HB 139, introduced by Koehnke. Referred to Committee on Judiciary.

HB 140, introduced by Bardanouve, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.

HB 141, introduced by Bardanouve. Referred to Committee on Judiciary.

HB 142, introduced by Harper, Donaldson, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.

HB 143, introduced by Harper, Donaldson, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.

HB 144, introduced by Thomas. Referred to Committee on State Administration.

HB 145, introduced by Eudaily, Lory, Giacometto, Nelson. Referred to Committee on Education and Cultural Resources.

HB 146, introduced by Spaeth, Hager, Iverson, Holliday, Manuel, Cody, Harper, Grady, Thoft, Jenkins, Patterson, Roth, Neuman, Driscoll, Bachini, Koehnke, DeMars, Poff, Abrams, Hammond, Keller, Weeding, Schye, Boylan, Severson, Hirsch. Referred to Committee on Judiciary.

HB 148, introduced by Donaldson. Referred to Committee on Taxation.

HB 149, introduced by Addy, Harper. Referred to Committee on Rules.

HB 150, introduced by Cobb. Referred to Committee on Taxation.

HB 151, introduced by Pistoria, Harper, Kadas, Connelly, Meyer, Miller, Cobb. Referred to Committee on Taxation.

HB 152, introduced by Bardanouve, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Taxation.

HB 153, introduced by Bardanouve, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.

HB 154, introduced by Bradley, Galt, Marks, Abrams, Stimatz, Eck, (By Request of the Water Policy Committee). Referred to Committee on Natural Resources.

HB 155, introduced by Bardanouve, (By Request of the Department of Commerce). Referred to Committee on Taxation.

HB 156, introduced by Sales. Referred to Committee on Taxation.

HB 157, introduced by Mercer, Brandewie, Pinsoneault, Harding, Meyers. Referred to Committee on Taxation.

HJR 5, introduced by Grady, Campbell, Brandewie, Harp, Quilici, Beck, Spaeth, Driscoll, Menahan, Mercer, Harper, Hansen, Fritz, Rasmussen, Yellowtail, Weeding, Lybeck. Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ramirez in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 2 - Representative Rapp-Svrcek moved that HJR 2 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 95

Noes: Bardanouve.

Total 1

Excused: Harrington, Winslow.

Total 2

Absent or not voting: Pavlovich, Ramirez.

Total 2

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ramirez moved the adoption of the committee report. Report adopted. (96-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 22 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones,

Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Harrington, Winslow.

Total 2

Absent or not voting: None.

Total 0

HB 50 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 95

Noes: Grinde, Switzer.

Total 2

Excused: Harrington, Winslow.

Total 2

Absent or not voting: McCormick.

Total 1

REPORTS OF STANDING COMMITTEES

LOCAL GOVERNMENT (Wallin, Chairman):

1/12/87

HB 103, do pass. Report adopted.

Adverse Committee Reports

HB 113, do not pass.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 13, 1987.

Motion carried.

House adjourned at 4:08 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

EIGHTH LEGISLATIVE DAY

Helena, Montana
January 13, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Peterson. Pledge of Allegiance to the Flag.

Roll call. All members present except Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventh legislative day, find the same to be correct.

Hayne, Chairman

SPECIAL ORDERS OF THE DAY

Speaker Marks announced that Congressman Marlenee was here to address the members of the House and appointed Representatives Devlin and Rehberg to escort him to the rostrum, where he was introduced and delivered the following address:

My fellow Montanans,

Irony, isn't it? We have the reverse situation in the state that we have in Washington. Here, the Republicans essentially control and must accept the responsibility for corrective action. The Democrats now overwhelmingly control Congress and are totally responsible for tax increases and general pain and suffering. Have you ever heard that one before?

As usual, I will attempt to be totally non-partisan, and somewhat self-deprecating, and more especially, brief.

The Governor was just here and gave his delivery, which you call the State of the State.

It will be just fine if you call my report the State of Confusion.

Speaking of Governors, let me open by reading a letter from the Governor of Wyoming, Ed Herschler, soliciting moves from Montana, dated Oct. 27, 1986, and I quote: "Dear Motor Carrier: You know Wyoming as a land of long distances and wide spaces with mountain shadows always on the horizon. I am sure you see it on your operations map as the bridge you travel to deliver your freight. As a businessman, I know you are continually seeking ways to make sure your bottom line remains black. Wyoming business people can help you. You already know that our highways are among the best in the nation. You should also be aware that Wyoming maintains a business and tax climate that is highway-user-friendly. Our tax structure is among the lowest in the nation.

You'll also find that Wyoming has no punitive laws which make it difficult and frustrating to operate efficiently.

All other services you may need are available in Wyoming at more competitive prices. Our sales tax is among the lowest in the region.

Wyoming invites you to take a good look at doing business here."

He could have added a P.S.: "Our work comp rate is \$1.00 per \$100.00 compared to Montana's \$31.50 per \$100.00." Sounds like a competitor, doesn't he?

We are all competitors. As a nation, as a state, as business people, and as politicians, we compete. As a nation, we have lost much of our competitive edge. As a state, our competitiveness has diminished and our balance of trade is terrible. As a business community, providing jobs, we are hard-working and tough people. But hard-working and tough won't cut it. Not when you have, as Herschler said, "Punitive laws that make it difficult and frustrating to operate." Ask yourself if and why we have stricter than national standards for air, water and reclamation. Is it really necessary or was it designed to keep out jobs?

What kind of signal is the state as a whole sending out to those who would invest job-producing risk capital? Messages are continually being sent.

A. Let's start with the coal business:

1. air quality emission standards that exceed federal standards
2. stricter than national standards on siting and reclamation
3. the highest severance taxes in the nation.

A year ago I had one potential customer tell me he would like to purchase 600 million tons of coal, but the severance tax put us out of competition. The message to investors from groups like Northern Plains Resource Council is negative. They have never supported a coal sale anywhere. This one group has cost this state a tremendous number of jobs and lost revenue. Yet we, as citizens and media, allow them a weighted influence far beyond their proportionate representation.

B. Oil production:

It took Sohio ten months to get an oil well sited on private land up Bridger Canyon. What a message that sent! It was brought up to me in D.C. on more than one occasion.

I remember eight years ago, my opponent was calling me a tool of big oil and inferring they were all scoundrels. I won, and then they made him a public service commissioner. Now, he couldn't sell his home if he wanted to, because of the depression in the oil patch. He has 3700 other homes in Billings ahead of him on the market.

Another message was sent from a county commissioner from Lewis & Clark County. The commissioner said: "No development on the Rocky Mountain front." This commissioner in essence said no to 300 million dollars in state, county, and local taxes from the average gas field over its full life. That figure would have been three billion dollars had it been an oil field. How long do we continue to say no? How would \$300 million help you deal with your budget problems?

Now in Washington we are talking about a wilderness bill that would encompass that whole area. Let me say again this is the wrong time to send signals that Montana is a wolves, wilderness, and welfare state. We don't advocate drilling a well or building roads into existing wilderness areas, but putting another three to five million acres off limits to 96% of general recreation is the wrong message. I would propose that instead, we protect it with management plans that provide for general recreation on most of the acres and harvesting the resources on a small percentage of those acres.

And what of the oil and gas industry that in 1985 provided nearly one-fourth of the revenue of the state? I predict they will be back if you give them the incentives and back-up. Because Congress has so screwed up our

energy policy, it's inevitable that every citizen will pay through the nose. But we need to be competitors when it comes. Let's not have the rigs go through. Let's give them the incentive to stop and drill. We can use the revenue.

Congress also passed an extremely expensive superfund bill that must be paid for, and to do that will raise the tax on our five major refineries from \$430,000 per year to \$5.6 million per year. Just a warning - if Exxon pulls out and we lose 600 jobs and a huge tax base, I'm glad my vote was NO on the superfund bill. Don't ask me how you're going to mitigate that; I would suggest you mitigate their air standards problem before they leave town.

What else has Congress done? Well it passed a tax bill that I labeled tax fraud that will destroy some businesses, destroy some farms, and a lot of jobs. The producer who has to sell a parcel of land to reduce his indebtedness will find that the lack of capital gains treatment will leave him even further in debt. I would solicit from you a resolution supporting the return of capital gains, the support of income averaging, and the return of investment credit.

I would also urge you to repel and reject legislation aimed at creating a nuclear free zone or any anti-Midgetman legislation. The Midgetman project will impact all the state in a positive fashion. First: It becomes a pressure valve to relieve unemployment from Havre to Billings to Missoula. Second: It's a core magnet around which we have a better chance of attracting service and hi-tech industry. Third: It means 3500 permanent military jobs plus 6000 dependents. Fourth: That means additional travel activity which helps us expand and keep our commercial air transportation services. Fifth: Many military personnel retire in Montana which means a stable, relatively high retirement income base. Sixth: Job opportunity increases as distributors from Helena, Billings, and Missoula are called on for supplies. Seventh: 3000 to 5000 jobs are generated in the private sector, some temporary, some permanent. Eighth: Road upgrading and bridge construction helps lift the load off county road budgets and creates temporary jobs. Ninth and Tenth: Millions of dollars pumped into the economy is some hope for businessmen now contemplating closing shop. Ten good reasons for Montana to compete. Do you need more? I will host a coffee in Helena on February 16 with Pentagon officials and military personnel to field questions and for an explanation of the project. However, as you might expect, it's business as usual with the doomsayers, and one more time a negative message is being sent. I quote the Missoulian: "WHILE THE MIDGETMAN'S MILITARY USEFULNESS IS DEBATABLE, ITS DESIRABILITY IN MONTANA ISN'T."

I suggest that if the Missoulian and Bozeman Chronicle are that myopic and narrow-minded about the future that they run a banner headline urging all who are unemployed not to cross over into that wicked land of employment and opportunity and missiles. Maybe they would like a gate on the interstate.

And for you Democrats who may be a little shy on this, remember Mike Mansfield was Senator when the Minuteman was placed in Montana.

I have a couple of personal requests:

1. As a business person directly involved with providing jobs in eastern Montana, I would urge you take immediate action to correct the workmens' compensation scandal with its 31.5% rate, compared to Wyoming's 1%. It's driving jobs out of the state. It is raping and

ruining, not only the over-extended job providers, but also devastating the fund that rightly belongs to those who deserve it.

2. As a property owner in northeast Montana, I have felt the dagger of pain caused by a \$6,000 property tax increase. We need relief.
3. Finally, I would ask that this legislature not allow the schools, such as Miles Community College, Glendive Community College, Northern, Western, Eastern, and Montana Tech to be cannibalized. Streamlined, yes; cannibalized, no. The students at these institutions have the highest commitment to training and retraining of any group of students in America. With the severe dislocation, loss of jobs, and loss of businesses occurring in Montana, we need to provide hope of a better future through retraining. Let's not make relocation harder.
4. Please be assured I am not in any sense attempting to tell this august body what to do. As the elected representative of one-half of the people of Montana, I only humbly reflect the frustrations and opinions of those whom you collectively serve.

By the way, keep it a secret that I was here in the Western District. The chairman of the Democratic party would rather I didn't answer any mail or take any cases, or help any legislators from this side, especially the boys from Butte. I don't know what he's worried about. I'm not running for President, Governor, or Senator. I will refile for Congress.

Representatives Devlin and Rehberg escorted Congressman Marlenee from the chambers.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

1/13/87

Correctly printed: HB 13, HB 37, HB 42, HB 53, HB 103.

Correctly engrossed: HJR 2.

Correctly enrolled: HJR 4.

Signed by the Speaker at 10:00 a.m.: HR 1.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman):

1/12/87

HB 61, introduced bill, be amended as follows:

1. Title.

Following: line 9

Insert: "IMMEDIATE"

2. Page 3, line 9.

Following: "effective"

Strike: "July 1, 1987"

Insert: "on passage and approval"

And, as amended, do pass. Report adopted.

HB 71, do pass. Report adopted.

HB 86, introduced bill, be amended as follows:

1. Page 3, line 12 through line 18.

Strike: section 1 in its entirety

Renumber: subsequent sections

2. Page 3, line 21.

Following: "program."

Insert: "In establishing the program, the department shall devise specific, measurable goals and objectives for each aspect of the program."

3. Page 5.

Following: line 20

Strike: "minimize"

Insert: "eliminate"

4. Page 5, line 23.

Following: "80-11-104"

Strike: "and [section 1]"

5. Page 5, line 24.

Following: "agencies"

Insert: "of state government"

6. Page 6, line 3.

Following: "section"

Strike: "2"

Insert: "1"

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 1/13/87

HB 65, do pass. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman): 1/13/87

Adverse Committee Reports

HB 74, do not pass.

HB 75, as amended, do not pass.

LOCAL GOVERNMENT (Wallin, Chairman): 1/12/87

Adverse Committee Reports

HB 113, do not pass. Chairman Wallin moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 93

Noes: Cobb, Cohen, Whalen.

Total 3

Excused: Winslow.

Total 1

Absent or not voting: Bachini, D. Brown, Ream.

Total 3

STATE ADMINISTRATION (Sales, Chairman): 1/13/87

HB 109, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "APPLY"

Insert: "PETITION"

2. Title, lines 5 and 6.

Strike: "A" on line 5 through "AUTHORIZING" on line 6

3. Title, line 8.

Following: "13-15-403,"

Strike: "13-16-301" through "13-16-306"

Insert: "13-16-201"

Strike: "13-16-307"

Insert: "13-16-204"

4. Page 1, line 14.

Strike: "application"

Insert: "petition"

Strike: "order"

5. Page 2, line 5.

Strike: "apply" through "order"

Insert: "petition"

6. Page 2, line 6.

Strike: "13-16-301"

Insert: "13-16-201"

7. Page 2.

Following: line 6

Strike: sections 2 through 5 in their entirety

Insert: "Section 2. Section 13-16-201, MCA, is amended to read:

"13-16-201. Conditions under which recount to be made. A recount shall be made under any of the following conditions:

(1) If a candidate for a county, municipal, or district office voted for in only one county, other than a legislator or a judge of the district court, or a precinct office is defeated by a margin not exceeding $\frac{1}{4}$ of 1% of the total votes cast or by a margin not exceeding 10 votes, whichever is greater, he may, within 5 days after the official canvass, file with the election administrator a verified petition stating he believes a recount will change the result and a recount of the votes for the office or nomination should be had.

(2) If a candidate for a congressional office, a state or district office voted on in more than one county, the legislature, or judge of the district court is defeated by a margin not exceeding $\frac{1}{4}$ of 1% of the total votes cast for all candidates for the same position, he may, within 5 days after the official canvass, file a petition with the secretary of state as set forth in subsection (1). The secretary of state shall immediately notify each election administrator whose county includes any precincts which voted for the same office by certified or registered mail, and a recount shall be conducted in those precincts.

(3) If a question submitted to the vote of the people of a county, municipality, or district within a county is decided by a margin not exceeding $\frac{1}{4}$ of 1% of the total votes cast for and against the question, a petition as set forth in subsection (1) may be filed with the election administrator. This petition must be signed by not less than 10 electors of the jurisdiction and must be filed within 5 days after the official canvass.

(4) If a question submitted to the vote of the people of the state is decided by a margin not exceeding $\frac{1}{4}$ of 1% of the total votes cast

for and against the question, a petition as set forth in subsection (1) may be filed with the secretary of state. This petition must be signed by not less than 100 electors of the state, representing at least five counties of the state, and must be filed within 5 days after the official canvass.

(5) If a question submitted to the vote of the people of a multi-county district is decided by a margin not exceeding $\frac{1}{4}$ of 1% of the total votes cast for and against the question, a petition as set forth in subsection (1) may be filed with the secretary of state. This petition must be signed by not less than 25 electors of the district, representing at least two counties, and must be filed within 5 days after the official canvass.

(6) The secretary of state shall immediately notify each election administrator by certified mail of the filing of the petition, and a recount shall be conducted in all precincts in each county.

(7) If during a canvass of election returns a board of county canvassers finds an error, as provided in 13-15-403, the board immediately shall file a petition with the election administrator."

Section 3. Section 13-16-204, MCA, is amended to read:

"13-16-204. Meeting of recount board when recount requested. (1) Immediately upon receiving ~~an application~~ a petition for a recount ~~as provided in 13-16-201(1)~~ or a notice from the secretary of state that ~~an application~~ a petition has been filed with him, as provided in 13-16-201, the election administrator shall notify the members of the county recount board.

(2) The board shall convene at the usual meeting place of the governing body without undue delay but not later than 5 days after receiving notice from the election administrator."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bill passed and transmitted to the House for concurrence: 1/12/87

SJR 6, introduced by Van Valkenburg

MOTIONS

Representative Compton moved that consideration of HB 40 be passed for the day because the fiscal note was not ready. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 147, introduced by Nathe, (By Request of the State Auditor). Referred to Committee on Business and Labor.

HB 158, introduced by Nathe. Referred to Committee on State Administration.

HB 159, introduced by Brandewie, Schye, Glaser, (By Request of the Department of Commerce). Referred to Committee on Local Government.

HB 160, introduced by Wallin. Referred to Committee on Taxation.

HB 161, introduced by Meyers, Mercer, Pinsoneault, Harding. Referred to Committee on Highways and Transportation.

HB 162, introduced by Kennerly, Cobb, (By Request of the Legislative Audit Committee). Referred to Committee on Education and Cultural Resources.

HB 163, introduced by Mercer, Spaeth. Referred to Committee on Judiciary.

HB 164, introduced by J. Brown. Referred to Committee on State Administration.

HB 165, introduced by J. Brown. Referred to Committee on Business and Labor.

HB 166, introduced by Jones, C. Smith. Referred to Committee on Business and Labor.

HB 167, introduced by Gilbert. Referred to Committee on Judiciary.

HB 168, introduced by Gilbert. Referred to Committee on Highways and Transportation.

HB 169, introduced by Gilbert. Referred to Committee on Highways and Transportation.

HB 170, introduced by Jones, C. Smith. Referred to Committee on Taxation.

HB 171, introduced by Fritz, (By Request of the Teachers' Retirement Board). Referred to Committee on State Administration.

HB 172, introduced by Squires, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on State Administration.

HB 173, introduced by Cohen. Referred to Committee on Taxation.

HB 174, introduced by Peterson. Referred to Committee on Education and Cultural Resources.

HB 175, introduced by Peterson, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.

HB 176, introduced by Bardanouve, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.

HB 177, introduced by Jones, C. Smith. Referred to Committee on Business and Labor.

HB 178, introduced by Cobb, Darko. Referred to Committee on Highways and Transportation.

HB 179, introduced by Jones, C. Smith. Referred to Committee on Business and Labor.

HB 180, introduced by Fritz, Grady, Nathe, Stang, Cody. Referred to Committee on Business and Labor.

The following Senate bill was introduced, read first time, and referred to committee:

SJR 6, introduced by Van Valkenburg, Hannah. Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Keenan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 35 - Representative Peterson moved that HB 35 do pass. Representative Grady made a substitute motion that consideration of HB 35 be passed below HB 88 on the second reading board. Motion carried.

HB 88 - Representative Manuel moved that HB 88 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 98

Noes: Roth.

Total 1

Excused: Winslow.

Total 1

Absent or not voting: None.

Total 0

HB 35 - Representative Hannah moved that consideration of HB 35 be placed below the Senate amendments to HB 1 on the second reading board. Motion carried.

HB 1 - Representative Donaldson moved that Senate amendments to HB 1 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 81

Noes: Cohen, Daily, Driscoll, Fritz, Harrington, McCormick, Manuel, Menahan, Moore, Nisbet, Pavlovich, Pistoria, Quilici, Ream, Strizich.

Total 15

Excused: Winslow.

Total 1

Absent or not voting: Bardanouve, D. Brown, Grady.

Total 3

HB 35 - Representative Grady moved that HB 35, second reading copy, be amended. Motion failed. (27-70)

HB 35 passed as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grinde,

Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Williams.

Total 82

Noes: Asay, Bachini, Cobb, Cohen, Daily, Devlin, Fritz, Giacometto, Grady, Koehnke, Pavlovich, Peck, Pistoria, Quilici, Swysgood, Thomas, Mr. Speaker.

Total 17

Excused: Winslow.

Total 1

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Keenan moved the adoption of the committee report. Report adopted. (99-0)

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 1. Motion carried. Speaker Marks appointed:

Representative Donaldson, Chairman

Representative Ramirez

Representative Williams

Representative Bradley moved that Peck, Miles, Keenan, Gould, and Gilbert be added as sponsors to HB 73. Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HJR 2 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 96

Noes: Bardanouve.

Total 1

Excused: Winslow.

Total 1

Absent or not voting: Giacometto, Squires.

Total 2

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 14, 1987.

Motion carried.

House adjourned at 4:30 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

NINTH LEGISLATIVE DAY

Helena, Montana
January 14, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Menke. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eighth legislative day, find the same to be correct.

Hayne, Chairman

Representative Rapp-Svrcek excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/14/87
Correctly printed: HB 61, HB 65, HB 71, HB 86, HB 109.
Correctly engrossed: HB 35, HB 88.

BUSINESS AND LABOR (Kitseiman, Chairman): 1/14/87
HB 51, do pass. Report adopted.

FISH AND GAME (Ellison, Chairman): 1/13/87
HB 64, introduced bill, be amended as follows:

1. Title, line 6.
Following: "LICENSE;"
Strike: "INCREASING THE BOW AND ARROW LICENSE FEE
BY \$1; AND"

2. Title, line 7.
Strike: "SECTIONS"
Insert: "SECTION"

3. Title, lines 7 and 8.
Following: "87-2-105"
Strike: "AND 87-2-708"

4. Title, line 8.
Following: "MCA"
Insert: "AND PROVIDING A DELAYED EFFECTIVE DATE"

5. Page 3, lines 12 through 21.
Strike: section 2 in its entirety
Renumber: subsequent section

6. Page 3.
Following: line 25
Insert: "NEW SECTION. Section 3. Effective date. This act is effective March 1, 1988."

And, as amended, do pass. Report adopted.

HB 93, do pass. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman): 1/13/87
Adverse Committee Reports

HB 74, do not pass. Chairman Gould moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 77

Noes: Bachini, Bardanouve, D. Brown, Connelly, Corne', Daily, Driscoll, Fritz, Harrington, Kadas, Keenan, Kennerly, Manuel, Menahan, Miles, Pavlovich, Quilici, Raney, Strizich, Vincent, Whalen.

Total 21

Excused: Rapp-Svrcek.

Total 1

Absent or not voting: Hayne.

Total 1

HB 75, as amended, do not pass. Chairman Gould moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Bachini, D. Brown, Connelly, Corne', Daily, DeMars, Driscoll, Fritz, Harrington, Kadas, Keenan, Kennerly, Manuel, Menahan, Miles, O'Connell, Pavlovich, Quilici, Raney, Squires, Strizich, Vincent, Whalen.

Total 23

Excused: Rapp-Svrcek.

Total 1

Absent or not voting: None.

Total 0

JUDICIARY (Lory, Chairman):

1/9/87

HB 21, introduced bill, be amended as follows:

1. Page 1, line 6.

Following: "DRINK;"

Insert: "RETURNING THE LEGAL DRINKING AGE TO 19 IF THE UNITED STATES SUPREME COURT INVALIDATES THE PROVISION OF FEDERAL LAW REQUIRING STATES TO RAISE THE AGE TO 21 OR LOSE A PORTION OF FEDERAL HIGHWAY FUNDS;"

2. Page 1, line 7.

Strike: "16-3-305"

Insert: "16-6-305"

3. Pages 1 through 5.

Strike: "July"

Insert: "April"

In the following places:

Page 1, lines 20 and 24

Page 2, lines 13, 17, and 23

Page 3, lines 3 and 10

Page 4, lines 2 and 15

Page 5, line 9

4. Page 3, line 10.

Strike: "after"

Insert: "before"

5. Page 11.

Following: line 24

Insert: "Section 11. Section 16-3-301, MCA, is amended to read:

"16-3-301. Unlawful purchases, sales, or deliveries. (1) It shall be unlawful for a licensed retailer to purchase or acquire beer from anyone except a brewer or wholesaler licensed under the provisions of this code.

(2) It shall be unlawful for any licensee, his or her employee or employees, or any other person to sell, deliver, or give away or cause or permit to be sold, delivered, or given away any alcoholic beverage to:

(a) any person under 19 years of age;

(b) any intoxicated person or any person actually, apparently, or obviously intoxicated.

(3) Any person under 19 years of age or other person who knowingly misrepresents his or her qualifications for the purpose of obtaining an alcoholic beverage from such licensee shall be equally guilty with said licensee and shall, upon conviction thereof, be subject to the penalty provided in 45-5-624; provided, however, that nothing herein contained shall be construed as authorizing or permitting the sale of an alcoholic beverage to any person in violation of any federal law.

(4) It shall be further mandatory under the provisions of this code that all licensees display in a prominent place in their premises a placard as issued by the department stating fully the consequences for violations of the provisions of this code by persons under 19 years of age."

Section 12. Section 16-6-305, MCA, is amended to read:

"16-6-305. Age limit for sale of alcoholic beverages. (1) Except in the case of an alcoholic beverage given to a person under 19 years of age by his parent or guardian for beverage or medicinal purposes or administered to him by his physician or dentist for medicinal purposes or sold to him by a vendor or druggist upon the prescription of a physician, no person shall sell, give, or otherwise supply an alcoholic beverage to any person under 19 years of age or permit any person under that age to consume an alcoholic beverage.

(2) Any person shall be guilty of a misdemeanor who:

- (a) invites a person under the age of 19 years into a public place where an alcoholic beverage is sold and treats, gives, or purchases an alcoholic beverage for such person;
 - (b) permits such person in a public place where an alcoholic beverage is sold to treat, give, or purchase liquor for him; or
 - (c) holds out such person to be 19 years of age or older to the owner of the establishment or his or her employee or employees.
- (3) It is unlawful for any person to fraudulently misrepresent his or her age to any dispenser of alcoholic beverages or to falsely procure any identification card or to alter any of the statements contained in any identification card."

Section 13. Section 16-6-314, MCA, is amended to read:

"16-6-314. Penalty for violating code — revocation of license — penalty for violation by underage person. (1) A person who violates a provision of this code is guilty of a misdemeanor punishable as provided in 46-18-212, except as is herein otherwise provided.

(2) If a retail licensee is convicted of an offense under this code, his license shall be immediately revoked or, in the discretion of the department, such other sanction imposed as may be authorized under 16-4-406.

(3) A person under 19 years of age who violates 16-3-301(3) or 16-6-305(3) is subject to the penalty provided in 45-5-624(2)."

Section 14. Section 45-5-623, MCA, is amended to read:

"45-5-623. Unlawful transactions with children. (1) A person commits the offense of unlawful transactions with children if he knowingly:

- (a) sells or gives explosives to a child under the age of majority except as authorized under appropriate city ordinances;
- (b) sells or gives intoxicating substances other than alcoholic beverages to a child under the age of majority;
- (c) sells or gives alcoholic beverages to a person under 19 years of age; or
- (d) being a junk dealer, pawnbroker, or secondhand dealer, receives or purchases goods from a child under the age of majority without authorization of the parent or guardian.

(2) A person convicted of the offense of unlawful transactions with children shall be fined not to exceed \$500 or be imprisoned in the county jail for any term not to exceed 6 months, or both. A person convicted of a second offense of unlawful transactions with children shall be fined not to exceed \$1,000 or be imprisoned in the county jail for any term not to exceed 6 months, or both."

Section 15. Section 45-5-624, MCA, is amended to read:

"45-5-624. Unlawful possession of an intoxicating substance — interference with sentence or court order. (1) A person under the age of 18 years commits the offense of possession of an intoxicating substance if he knowingly has in his possession an intoxicating substance other than an alcoholic beverage. A person under the age of 19 commits the offense of possession of an intoxicating substance if

he knowingly has in his possession an alcoholic beverage, except that he does not commit the offense when in the course of his employment it is necessary to possess alcoholic beverages.

(2) A person convicted of the offense of possession of an intoxicating substance shall:

(a) be fined not to exceed \$50;

(b) be ordered to complete and, if financially able, pay all costs of his participation in a community-based substance abuse information course;

(c) have his driver's license confiscated by the court for not more than 90 days and be ordered not to drive during that period if he was driving or otherwise in actual physical control of a motor vehicle when the offense occurred; or

(d) be sentenced to any combination of these penalties.

(3) A defendant who fails to comply with a sentence and is under 21 years of age and was under 18 years of age when he failed to comply must be transferred to the youth court. If proceedings for violation of subsection (1) are held in the youth court, the penalties in subsection (2) do not apply. If proceedings for violation of subsection (1) or for failure to comply with a sentence are held in the youth court, the offender shall be treated as an alleged youth in need of supervision as defined in 41-5-103(13). In such case, the youth court may enter its judgment under 41-5-523.

(4) A person commits the offense of interference with a sentence or court order if he purposely or knowingly causes his child or ward to fail to comply with a sentence imposed under this section or a youth court disposition order for a youth found to have violated this section and upon conviction shall be fined \$100 or imprisoned in the county jail for 10 days, or both."

NEW SECTION. Section 16. Repealer. Sections 1 through 10 of this act are repealed.

NEW SECTION. Section 17. Extension of authority. Any existing authority of the department of revenue to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 18. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent section

6. Page 12, line 1.

Following: "5"

Insert: ", 17, 18, and this section"

Strike: "July"

Insert: "April"

7. Page 12, line 2.

Following: "and"

Insert: ", except for sections 17, 18, and this section,"

Strike: "July"

Insert: "April"

8. Page 12, line 3.

Strike: "July"

Insert: "April"

Following: line 3

Insert: "(3) If the United States supreme court invalidates the provisions of federal law that require states to raise the legal age for purchasing and possessing alcoholic beverages to 21 as a condition of full receipt of federal highway funds, the governor of Montana shall immediately certify the fact of the invalidation to the secretary of state of Montana. Sections 11 through 16 are effective upon certification."

And, as amended, do pass. Report adopted.

HB 77, introduced bill, be amended as follows:

1/13/87

1. Title, line 8.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2.

Following: line 25

Insert: "NEW SECTION. Section 2. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 81, introduced bill, be amended as follows:

1. Page 2.

Following: line 11

Insert: "NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of revenue to make rules on the subject of the provisions of this act is extended to the provisions of this act."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/14/87

HB 106, do pass. Report adopted.

HB 132, do pass. Report adopted.

HB 101, introduced bill, be amended as follows:

1. Page 2, line 3.

Following: "state language."

Insert: "(1)"

2. Page 2.

Following: line 4

Insert: "(2) The teaching, use, and retention of foreign or native languages are encouraged."

And, as amended, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

1/14/87

HB 87, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND"

2. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING A RETROACTIVE APPLICABILITY DATE"

3. Page 4.

Following: line 10

Insert: "NEW SECTION. Section 4. Applicability. This act is applicable retroactively, within the meaning of 1-2-109, to taxable years beginning after December 31, 1986."

And, as amended, do pass. Report adopted.

HB 91, do pass. Report adopted.

Adverse Committee Reports

HB 14, do not pass.

HB 17, do not pass.

MOTIONS

Representative Compton moved that consideration of HB 40 on second reading be postponed until the 14th legislative day, because of the absence of a fiscal note. Motion carried.

Representative Bradley moved that Spaeth, Corne', Eck, M. Williams, Cohen, and Bishop be added as sponsors to HB 36. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 181, introduced by Nelson, Peterson, Compton, Roth, Peck, Nisbet, Donaldson, Brandewie, Vincent, B. Brown, Eudaily, (By Request of the Teachers' Retirement Board). Referred to Committee on State Administration.

HB 182, introduced by Fritz, Addy. Referred to Committee on Taxation.

HB 183, introduced by Ellison, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Fish and Game.

HB 184, introduced by Brandewie, Mercer, (By Request of the Department of Agriculture). Referred to Committee on Agriculture.

HB 185, introduced by Manuel. Referred to Committee on Appropriations.

HB 186, introduced by Nathe. Referred to Committee on Education and Cultural Resources.

HB 187, introduced by Manuel, Kolstad, Thayer, Schye, Cody, E. Smith, Lybeck, Tveit, Weeding, Lynch, Iverson. Referred to Committee on Appropriations.

HB 188, introduced by Bradley, Kitselman, Hager, Mazurek. Referred to Committee on Judiciary.

HB 189, introduced by Pavlovich, (By Request of the Department of Commerce). Referred to Committee on Business and Labor.

HB 190, introduced by Nelson, Hanson, Darko, Hayne, Keller, Hannah. Referred to Committee on State Administration.

HB 191, introduced by Pavlovich, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.

HB 192, introduced by Cobb. Referred to Committee on Judiciary.

HB 193, introduced by Nathe, Jacobson. Referred to Committee on Taxation.

- HB 194**, introduced by Miles. Referred to Committee on Business and Labor.
- HB 195**, introduced by Miles, (By Request of the Commissioner of Political Practices). Referred to Committee on State Administration.
- HB 196**, introduced by Miles, Gould, Daily, Bulger. Referred to Committee on Business and Labor.
- HB 197**, introduced by Grady. Referred to Committee on Judiciary.
- HB 198**, introduced by Roth, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.
- HB 199**, introduced by Menahan, Lynch, Driscoll. Referred to Committee on Business and Labor.
- HB 200**, introduced by Miles, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services.
- HB 201**, introduced by Campbell, Raney, Patterson, Driscoll, Swift, Glaser, Rapp-Svrcek, Cody, Hayne, Peterson, Keller, Giacometto, Daily, O'Connell, Devlin, Thomas, Cobb, Thayer, Menahan, Rehberg, Pavlovich, Jenkins, Harrington, Meyer, D. Brown, Asay, Moore, Fritz, Swysgood, Switzer, Nelson, Phillips, Simon, Lynch, Galt, Boylan, E. Smith, McLane, Beck. Referred to Committee on State Administration.
- HB 202**, introduced by J. Brown. Referred to Committee on Judiciary.
- HB 203**, introduced by Spaeth, Rehberg, McLane. Referred to Committee on State Administration.
- HB 204**, introduced by Fritz. Referred to Committee on Local Government.
- HB 205**, introduced by Nelson, Eudaily, Connelly, Darko, Corne', Squires, Hansen, B. Brown, Lory, Donaldson. Referred to Committee on State Administration.
- HB 206**, introduced by McCormick, Pavlovich, Pistoria, Swysgood, D. Brown, Driscoll, Whalen, Jones, Grady, Patterson, Menahan, Harrington, C. Smith, O'Connell, Kitselman, Cody, Bachini, Kennerly, Schye, Nisbet. Referred to Committee on Business and Labor.
- HB 207**, introduced by Addy. Referred to Committee on Judiciary.
- HB 208**, introduced by Addy, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.
- HB 209**, introduced by Gilbert. Referred to Committee on Judiciary.
- HB 210**, introduced by Grady, Cobb, Menahan, Swysgood, Switzer, Connelly, Stang, Campbell, Severson, Beck, Spaeth, Grinde, Devlin, McCormick, Russell, Hirsch, Lybeck, Menke, Jones, Abrams, C. Smith, Bachini, E. Smith. Referred to Committee on Fish and Game.
- HB 211**, introduced by Devlin. Referred to Committee on Fish and Game.
- HB 212**, introduced by Hanson, Switzer, Glaser, Asay, Cobb. Referred to Committee on Judiciary.
- HB 213**, introduced by Compton, Moore, Nelson, Pavlovich, Jenkins, Hammond. Referred to Committee on Taxation.
- HB 214**, introduced by J. Brown, (By Request of the Department of Military Affairs). Referred to Committee on Appropriations.
- HB 215**, introduced by Corne', Eudaily, Nelson, Vincent. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Kitselman in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Harrington excused at this time.

HB 13 - Representative Mercer moved that HB 13 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Devlin, Roth, Sales.

Total 3

Excused: Harrington, Rapp-Svrcek.

Total 2

Absent or not voting: None.

Total 0

HB 37 - Representative Bradley moved that HB 37 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Daily, Hannah, Koehnke.

Total 3

Excused: Harrington, Rapp-Svrcek.

Total 2

Absent or not voting: Ellison, O'Connell.

Total 2

Representative Lory excused at this time.

HB 42 - Representative Cobb moved that HB 42 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Whalen.

Total 1

Paired: Rapp-Svrcek, Aye; Whalen, No.

Excused: Harrington, Lory.

Total 2

Absent or not voting: None.

Total 0

HB 53 - Representative Eudaily moved that HB 53 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Hannah, Sales, Whalen.

Total 3

Excused: Harrington, Lory, Rapp-Svrcek.

Total 3

Absent or not voting: Kitselman, Nathe, Phillips.

Total 3

HB 103 - Representative Schye moved that HB 103 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer,

Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Driscoll, Hannah, Mercer, Ramirez, Whalen.

Total 5

Excused: Harrington, Lory, Rapp-Svrcek.

Total 3

Absent or not voting: Kitselman.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kitselman moved the adoption of the committee report. Report adopted. (96-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Representative Rapp-Svrcek present at this time.

HB 35 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Cobb, Cohen, DeMars, Driscoll, Giacometto, Grady, Koehnke, Nathe, Thomas, Whalen.

Total 10

Excused: Harrington, Lory.

Total 2

Absent or not voting: Asay.

Total 1

HB 88 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Roth.

Total 1

Excused: Harrington, Lory.

Total 2

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The Speaker reminded the members that 5:00 p.m., Thursday, the tenth legislative day, is the deadline for bill draft requests.

Representative Hannah moved that the House adjourn until 2:45 p.m., January 15, 1987.

Motion carried.

House adjourned at 4:20 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

TENTH LEGISLATIVE DAY

Helena, Montana
January 15, 1987

House Chambers
State Capitol

House convened at 2:45 p.m., Mr. Speaker in the Chair. Invocation by Representative Russell. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley, Ellison, and the Committee on Human Services and Aging, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the ninth legislative day, find the same to be correct.

Hayne, Chairman

MESSAGES FROM THE OTHER HOUSE

The Senate, on 1/4/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 1.

The President appointed the following members:

Senator Regan, Chairman
Senator Mazurek
Senator McCallum

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/15/87
Correctly printed: HB 21, HB 51, HB 64, HB 77, HB 81, HB 87,
HB 91, HB 93, HB 101, HB 106, HB 132.
Correctly engrossed: HB 13, HB 37, HB 42, HB 53, HB 103.
Signed by the Speaker at 1:00 p.m., 1/13/87: HJR 4.

BUSINESS AND LABOR (Kitselman, Chairman): 1/15/87
HB 30, second reading copy, be amended as follows:

1. Page 3, lines 7 and 8.
Following: "retailer" on line 7
Strike: remainder of line 7 and line 8 through "LICENSEE,"
2. Page 3, line 13.
Following: "LICENSE"
Insert: "or a photocopy of his license"

And, as amended, do pass. Report adopted.

HB 98, introduced bill, be amended as follows:

1. Page 1, line 22.
Following: "insurance"
Insert: ", and no person may offer, solicit, take applications for, procure, or place for others liability insurance by a farm mutual insurer unless he or she is licensed under Title 33, chapter 17"
2. Page 2, line 18.
Following: "33-4-502(3)"
Insert: "and only if every policy bears on its face in boldface type a statement that each member of the farm mutual insurer is subject to a contingent liability under 33-3-411"

3. Page 3, line 19.

Following: "that"

Strike: "ceded business"

Insert: "liability insurance"

And, as amended, do pass. Report adopted.

RULES (Hannah, Chairman):

1/15/87

SJR 6, third reading copy, be amended as follows:

1. Page 23.

Following: line 24

Insert: "Resolutions to express confirmation of appointments No deadline No deadline"

2. Page 36, line 11.

Following: "(3)"

Strike: remainder of line 11 through "day." on line 15

Insert: "A revenue bill originating in the Senate shall be transmitted to the House on or before the 55th day, unless two-thirds of the members present and voting in the House determine that the bill may be transmitted after the 55th day. A revenue bill originating in the House shall be transmitted to the Senate on or before the 72nd day, unless two-thirds of the members present and voting in the Senate determine that the bill may be transmitted after the 72nd day."

3. Page 37, line 12.

Strike: "67TH"

Insert: "80th"

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/15/87

HB 140, do pass. Report adopted.

HB 153, do pass. Report adopted.

Adverse Committee Reports

HB 144, do not pass.

SPECIAL ORDERS OF THE DAY

The Sergeant-at-arms admitted a committee from the Senate: Senator Mazurek, Chairman; Senator Bishop, and Senator Halligan. They reported that the Senate was in session and ready to come to the House to meet in joint session for the State of the Judiciary. The Speaker informed them that the House, too, was in session, and ready to receive them. The committee returned to the Senate.

The Sergeant-at-arms escorted the elected officials and other distinguished guests to the front of the chamber, and then announced the arrival of the Senate. Speaker Marks asked that they be escorted into the House chamber.

The Speaker introduced President Norman and relinquished the Chair.

Senator Van Valkenburg moved that the body resolve itself into a joint session for the purpose of receiving the State of the Judiciary address from the Supreme Court of the State of Montana. Motion carried.

Senator Van Valkenburg moved that the calling of the roll be dispensed with. Motion carried.

Senator Van Valkenburg moved that the President be authorized to appoint a committee of four to notify the court that we are in joint session and ready to receive them. Motion carried. President appointed Senators Pinsonneault and Crippen, and Representatives Mercer and Whalen, who escorted the members of the Supreme Court to the well of the House.

Pastor Olson gave the invocation.

President Norman introduced the Associate Justices:

The Honorable John C. Harrison
The Honorable L.C. Gulbrandson
The Honorable William Hunt
The Honorable John C. Sheehy
The Honorable Frank Morrison
The Honorable Fred Weber

The President then introduced the Chief Justice of the Court, the Honorable Jean Turnage who gave the following address:

THE STATE OF THE JUDICIARY
BY HONORABLE JEAN A. TURNAGE
CHIEF JUSTICE, MONTANA SUPREME COURT

Thank you Speaker Marks, President Norman, leaders of the Democratic and Republican Parties of the House and Senate, members and staff of the 50th Legislature, distinguished guests, ladies and gentlemen.

On only six previous occasions have Chief Justices of the Montana Supreme Court had the privilege to come before this Assembly to deliver a formal State of the Judiciary Address. On those occasions, as now, the Judiciary has both the opportunity and the challenge of presenting to Montanans a summary of the past biennium's work and the next biennium's challenges. I am pleased to be invited here to share with you an overview of Montana's judicial system.

The picture that we paint today is one of solid accomplishments and future challenges.

The accomplishments of the Judiciary in the past two years are many. This record of accomplishment could only have occurred with the cooperation and continued support that you have provided.

The work of the courts in the past two years has encompassed 1,242 appeals and petitions to the Supreme Court, more than 30,000 case filings in district courts, and literally hundreds of thousands of cases brought before our courts of limited jurisdiction. Added to this, is a tremendous amount of work handled by the Water Court in adjudicating water rights in Montana's 85 water basins.

While caseload in the courts is the heart of the Judiciary's work, there are many other activities that go on each year that both sustain and improve the operation of Montana's judicial system. Under the general supervision of the Supreme Court, nearly a dozen boards and commissions perform various functions that are essential to the administration of justice. These boards and commissions act much in the same way as your standing and interim committees; they are workhorses that review rules, ensure fair judicial standards and procedures, monitor uniform criminal sentencing, police professional conduct, examine applicants to the Montana Bar, and accomplish many other important tasks.

The work of these boards and commissions is done by legal and lay volunteers from around the State who give generously of their time and energy

to improve our judicial system. All Montanans owe these dedicated individuals a deep debt of gratitude.

In another area, the State Bar of Montana deserves praise for the dedication of its officers and 2,500 members who assist the Judiciary in areas such as law-related education, legal services to the poor, lawyer referral services, assistance to the Commission on Practice, and many other tasks important to our citizens. Most of these services are rendered without compensation as part of an attorney's obligation to the public.

In the past two years, the Judiciary has also been involved in a number of other areas of continued importance to the people of Montana. Because of your continued support we have been able to provide many hours of judicial education classes for district court judges and to send a number of them to the National Judicial College. Attendance at these seminars and courses is an extremely important element in keeping our judges educated, current, and motivated. Judicial education leads to confidence and efficiency in the courtroom and to long-term judicial improvements.

As many of you know, the Legislature has in recent years significantly expanded the jurisdiction, and therefore the responsibility, of justice courts. It has become more important than ever for the Commission on Courts of Limited Jurisdiction to conduct training classes for justices of the peace and city judges. The classes this year were attended by all of these justices and judges, and included comprehensive examinations on the final day of class. These classes are vital to keeping the limited jurisdiction courts informed, operating efficiently, and able to handle an increasingly complex caseload.

The Judiciary — like the other two branches of government — is not measured simply by a single biennium. It is measured by both where it has been and by where it is going.

Where have we been? As you know, caseloads in Montana have increased tremendously in past decades. The Supreme Court's filings went from 80 in 1960 to 194 filings in 1970. By the time the Court was expanded from five to seven members, the caseload had reached nearly 500 appeals per year. In 1986, the Supreme Court received a near-record number of appeals and petitions and wrote the largest number of opinions in the Court's history — 374.

District courts have seen a correspondingly high increase in their caseload over the same period of time. Approximately 13,000 cases were filed in district courts in Montana in 1960. In calendar year 1985 — the last full year for which statistics are available — more than 32,000 cases were filed in the State's 20 judicial districts.

The challenge of these last decades has been to deal with these rapidly increasing caseloads without unnecessary delay. With your help, I think we have done a reasonably good job — but we can all do better if given the tools and resources.

Now we turn to the question: "Where are we going?" There are a number of tasks and challenges that lay ahead. This legislative session you will consider a number of issues regarding the Judiciary. No more important issue is before you than that which determines the size of the Supreme Court. The Court was expanded in 1979 by the Legislature because a rational case was made that the caseload and the workload of the five-member Court required additional hands to chip away at a significant backlog and eventually to keep current.

The issue of the five-member versus the seven-member Court ultimately revolves around the maxim that justice delayed is justice denied. Delay in the final resolution of litigation is a concern to all Montanans, and a specific concern to the Judiciary. Delay results in added dollar costs to the taxpayer and to the litigants in the form of additional attorney fees and costs of litigation.

But there is another cost of delay that is not measurable in dollars alone. It is the cost of human stress. Anyone who is a party to a lawsuit lives under a cloud of mental and emotional strain until the matter is finally resolved.

Opinions of the Supreme Court cannot be disposed of on a crash basis. Care and thoughtful deliberation must be given to every Court opinion. To reduce the Supreme Court to five members would have the obvious result of increasing delay in the flow of final opinions by approximately 30 percent. I believe you would agree that this would be an unacceptable imposition on your constituents. Justice delayed clearly results in justice denied.

The case that was presented to the Legislature in 1979 is still a good one. To move back to a five-member Court would be literally a move backwards. We cannot reasonably be asked to do more — much more — with less.

A number of other important issues will be before you during this legislative session relating to the Judiciary. I would like to draw your attention to several that I think deserve special attention.

Judges' salaries is an issue that has been before several legislative sessions. The issue keeps coming before you because Montana's judicial salaries are the lowest in the entire country. It is generally recognized that competitive salaries, or other forms of compensation, are an important factor in attracting well-qualified job applicants. This conventional wisdom is true not only in the world at large, but also for those who choose to offer their services for judicial positions.

Montana has been blessed by many fine judges who have been willing to serve their State for a level of compensation significantly below the national average. The dedication of these judges is commendable, but we must move as quickly as possible to raise the pay of judges. This is necessary to keep the high level of judges that we now have and to attract the best and brightest judges in the future.

In a related issue, you will be examining a bill this session dealing with judicial retirement. Under current law, the Judges' Retirement System contains a provision that provides very little incentive to judges with more than 15 years service to continue a judicial career. The State of Montana has invested greatly in the education, wisdom, and talent of these veteran judges. We can ill afford not to consider some minor amendments in the Judges' Retirement System aimed at encouraging experienced judges to remain on the bench.

Another piece of legislation that deserves your attention is one that imposes a \$100 fee whenever an attorney calls for the substitution of a judge. This bill aims at recovering some of the costs involved when substitutions occur. The fee also would discourage frivolous substitutions which in many rural areas in our state may result in thousands of extra miles driven by judges and lost time behind the wheel of a car — not to mention the inevitable delay in the litigation calendars of all judges involved.

There are many other challenges that the Judiciary faces in the next biennium for which there is little time to talk of here today. In the years

ahead, the Judiciary will be involved in developing better monitoring methods for identifying and reducing court delay and enhancing information systems to better identify problem areas and provide management alternatives. We also need to keep abreast of technological advances in other parts of the country that may be helpful in Montana.

I would like to talk with you for a couple of minutes about the budget for the Judiciary. I know that much of your business in the remaining days will be devoted to balancing revenues and expenditures. I also know that the balancing act will be difficult and painful.

With respect to the Judiciary, you can be assured that we will cooperate with you in making every reasonable effort we can to run an efficient, cost-effective operation. The budget proposal for operating the Judiciary in the next biennium is one that I believe is reasonable and necessary — and sensitive to current revenue difficulties. We have proposed a small amount of increased support in two areas that have experienced significant workload increases in the past five years — the Board of Bar Examiners and the Commission on Practice.

We also ask you to give careful consideration to the budget request for both the Water Court and the Law Library. The work of the Water Court is enormously important to all of your constituents. The Water Court deserves your support as it systematically adjudicates water rights in the various water basins of our State. Likewise, the Law Library is an important research and reference resource for the entire State — and for the Legislature itself. The State Law Librarian has done a fine job in building a collection of which we all can be proud. I urge your continued support for this program.

We know money is tight, but we ask that you keep in mind that the court system in our State is an essential function of government. Under the Montana Constitution, the administration of justice is mandatory — not discretionary. And while the Constitution requires fair administration of justice, the people demand it. Each year the citizens of our great State bring many thousands of cases before the courts. While these cases are varied — from the very simple to the extremely complex — all Montanans expect that the court system will hear their cases in an equitable manner without unnecessary delay.

The court system in Montana must be adequately and reasonably funded. The reduced level of funding in the last two years cannot realistically be sustained if you expect to also maintain a healthy court system as a vital element in the governmental structure that protects the liberty, justice, and freedom that all Montanans deserve.

Finally, I would like to conclude by thanking you for the opportunity to give an overview of our court system. George Washington once said, "The administration of justice is the firmest pillar of government." Repeating Washington's words in this great chamber may be somewhat dangerous, but let me assure you all that the Judiciary recognizes that each branch of government shares a role in a partnership that requires patience and understanding as we shape and administer our laws and ultimately provide for an ordered, civilized community.

Thank you for inviting the Court to share our common concerns.

Pastor Olson gave the benediction.

President Norman asked the committee to escort the members of the Court from the chamber.

Senator Van Valkenburg moved the joint session of the 50th Legislature be adjourned. Motion carried.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Representative Bradley and the members of the Committee on Human Services and Aging present at this time.

TAXATION (Ramirez, Chairman):

1/14/87

Adverse Committee Reports

HB 14, do not pass. Chairman Ramirez moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: McCormick.

Total 1

Excused: Ellison.

Total 1

Absent or not voting: Asay, Menahan, Spaeth.

Total 3

HB 17, do not pass. Chairman Ramirez moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Nelson, Nisbet, Peterson, Russell, Squires, Thomas, Vincent.

Total 7

Excused: Ellison.

Total 1

Absent or not voting: Cohen, Spaeth.

Total 2

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 1
Report No. 1, January 15, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 1 met and considered:

House Bill No. 1 in its entirety, reference copy (salmon), including Senate Committee of the Whole amendment, dated January 10, 1987, at 9:05 a.m.

We recommend as follows:

That House Bill No. 1, reference copy, be amended as follows:

1. Page 2.

Following: line 2

Insert: "Revenue Oversight Tax Consultant \$ 18,000"

For the Senate:

Regan
Mazurek
McCallum

For the House:

Donaldson
Ramirez
Williams

MOTIONS

Representative Hannah moved that the rules be suspended to allow the free conference committee report on HB 1 to be heard on second and third reading this day. Motion carried.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

HB 216, introduced by Daily, Pavlovich, Quilici, Kolstad, Menahan, D. Brown, Harrington, Lynch, B. Brown, Stimatz, Severson, Jacobson. Referred to Committee on Appropriations.

HB 217, introduced by Addy, Eudaily, Menahan, Squires, Keenan, Gould, Rasmussen, Harrington, Lynch, Manuel, Phillips, Hansen. Referred to Committee on Appropriations.

HB 218, introduced by Brandewie, Mercer, Darko, Nelson. Referred to Committee on Business and Labor.

HB 219, introduced by Holliday, Hanson. Referred to Committee on Judiciary.

HB 220, introduced by DeMars, Swysgood, Thoft, Harper, (By Request of the Department of Agriculture). Referred to Committee on Agriculture.

HB 221, introduced by Gilbert. Referred to Committee on Highways and Transportation.

HB 222, introduced by Thomas. Referred to Committee on Taxation.

HB 223, introduced by Bardanouve, (By Request of the Department of Institutions). Referred to Committee on Human Services.

HB 224, introduced by Spaeth. Referred to Committee on State Administration.

HB 225, introduced by Spaeth, Russell, Winslow, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on State Administration.

HB 226, introduced by Spaeth, Harper, Grady, Miles, Donaldson, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.

HB 227, introduced by Nelson, Peterson, Compton, Corne', Peck, Nisbet, Eudaily, Vincent, (By Request of the Teachers' Retirement Board). Referred to Committee on State Administration.

HB 228, introduced by Swysgood, Grady, (By Request of the State Auditor). Referred to Committee on Business and Labor.

HB 229, introduced by Spaeth, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 230, introduced by Hanson, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

HB 231, introduced by Fritz. Referred to Committee on Business and Labor.

HB 232, introduced by Thomas, (By Request of the Secretary of State). Referred to Committee on Business and Labor.

HB 233, introduced by Bardanouve, (By Request of the Department of Administration). Referred to Committee on Appropriations.

HB 234, introduced by Menahan. Referred to Committee on Taxation.

HJR 6, introduced by Schye, Cody, Nathe, E. Smith, Poff, Compton. Referred to Committee on Natural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Rapp-Svrcek in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 41 - Representative Winslow moved that HB 41, second reading copy, be amended as follows:

1. Title, line 8.

Following: "RATES"

Insert: "AS DETERMINED BY THE INDIVIDUAL INSURER"

2. Page 1, line 22.

Following: "an"

Insert: "appropriate premium reduction as determined by the insurer"

Strike: "ACTUARIALLY JUSTIFIED premium reduction"

3. Page 2, line 2.

Strike: "Such reduction"

Insert: "Any discount used by the insurer"

4. Page 2, line 9.

Strike: "that the insured"

Insert: "any or all of the following"

5. Page 2, line 10.

Following: "(a)"

Insert: "that the insured"

6. Page 2, line 12.

Following: "(b)"

Insert: "that the insured"

7. Page 2, line 14.

Following: "(c)"

Insert: "that the insured"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cohen, Kadas.

Total 2

Excused: Ellison.

Total 1

Absent or not voting: D. Brown, Harrington, O'Connell.

Total 3

Representative Bulger moved that HB 41, second reading copy, be further amended. Amendment failed. (20-74)

Representative Winslow moved that HB 41, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Bulger, Cohen, Giacometto, Ramirez, Raney, Sales, Sands, Whalen.

Total 8

Excused: Ellison.

Total 1

Absent or not voting: Bradley.

Total 1

HB 61 - Representative Harper moved that HB 61 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen,

Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 65 - Representative Peck moved that HB 65 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 95

Noes: Giacometto, Hannah.

Total 2

Excused: Ellison.

Total 1

Absent or not voting: Devlin, Mr. Speaker.

Total 2

HB 71 - Representative Asay moved that HB 71 do pass. Representative Marks made a substitute motion that consideration of HB 71 be passed for the day. Motion carried.

HB 86 - Representative Asay moved that HB 86, second reading copy, be amended. After discussion Representative Asay made a substitute motion that consideration of HB 86 be passed for the day. Motion carried.

HB 109 - Representative Swysgood moved that consideration of HB 109 be passed for the day. Motion carried.

HB 1 - Representative Donaldson moved that the free conference committee report on HB 1 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko,

DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Bachini, Koehnke, McCormick, Peck, Pistoria.

Total 5

Excused: Ellison.

Total 1

Absent or not voting: Cohen.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rapp-Svrcek moved the adoption of the committee report. Report adopted. (96-1)

MOTIONS

Representative Swysgood moved that HB 109 be taken from second reading and rereferred to the Committee on State Administration. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 13 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Roth.

Total 1

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 37 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Daily, Driscoll, Hannah, Koehnke, Whalen.

Total 5

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 42 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Whalen.

Total 1

Excused: Ellison.

Total 1

Absent or not voting: Stang.

Total 1

HB 53 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Hannah, Peck, Whalen.

Total 3

Excused: Ellison.

Total 1

Absent or not voting: Devlin.

Total 1

HB 103 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Hannah, Ramirez.

Total 2

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 1, free conference committee report, passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Bachini, Koehnke, Peck, Pistoria.

Total 4

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Representative Thomas moved that HB 144 be taken from adverse committee report and rereferred to the Committee on State Administration. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 16, 1987.

Motion carried.

House adjourned at 5:00 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

ELEVENTH LEGISLATIVE DAY

Helena, Montana
January 16, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Asay. Pledge of Allegiance to the Flag.

Roll call. All members present except Addy, Ellison, and Rapp-Svrcek, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the tenth legislative day, find the same to be correct.

Hayne, Chairman

SPECIAL ORDERS OF THE DAY

Mr. Speaker asked that the Sergeant-at-Arms escort the Superintendent of Public Instruction, Ed Argenbright, and guest, into the chambers. Mr. Argenbright introduced Mary Sheehy Moe, 1987 Teacher of the Year, from Columbia Falls. She gave the following address to the House members:

Thank you for the honor of being allowed to speak to you today. As a former speech coach, I know that I should introduce my ideas by trying to captivate you, motivate you and relate to you — in short, I should try to make you like me a little before I say what I have to say. But the limits on my time are such that I have had to make some drastic cuts — something you can empathize with, I'm sure — so the flowery introduction was the first to go.

I have come here today to tell you the one thing I know best — what I feel and what my colleagues feel about what is happening in education today in Montana. I believe I would not be exaggerating to say that two words come the closest to expressing our feelings: anxiety, in general, and in some instances, downright horror.

Let me start with anxiety. Teaching school today is harder than it ever has been. As chemical dependency, teenage pregnancy, juvenile crime, violence and suicide escalate, schools have been forced to do social work as well as to educate. As divorce continues to break up Montana homes and as more and more families become two-career households, the important role of parents in education has weakened considerably.

Don't get me wrong: I don't blame parents. As a working mother myself, I know that by the time I pick up the kids, feed them, bathe them, and wage a thousand tiny wars with them, the last thing I want to do is sit down with them and read HORTON HEARS A WHO for the fourteenth time. So the schools must pick up the slack.

And they do. Without the help of kindergarten and counselors, programs for the chemically dependent and the teenage mother, programs that make my students willing and able to learn, I would not have had the happy career that I have had. And I am anxious lest the continuing crunch on education programs deprive me of this help.

Much has been made of a statistic released in December, something to the effect that costs of education in Montana have tripled the cost of living in the last 10 years. Let me remind you that those costs are primarily the result of schools that are, for the first time in history, attempting to meet the educational needs of all children. If I have students in my classroom

with speech, hearing and reading disabilities, they can still survive because now, unlike 10 years ago, they can get help. Elementary counselors, Chapter I, Title IX, speech therapy, Gifted and Talented — these may be vague labels to you, but to many of my students they mean the difference between success and failure. They have helped me, too, succeed as a teacher. Like my colleagues, I am worried when I hear people refer to them as frills and anxious about what will happen to public education and to Montana without them.

The governor said last week that we must increase accountability in education. I submit to you that no professional is as accountable to as many different groups as the public school teacher. I am accountable to my students on a daily basis to justify the tests I give, the grades they get, and why they have to learn that stuff anyway. I am accountable to parents constantly to let them know what is happening with their children in my classes. I am accountable to my principal, to my superintendent, and to my school board. And every spring my entire school system has to account for its expenditures to the general public convincingly enough to pass voted levies. We are having trouble with that, and teachers in Montana are filled with anxiety that you as legislators will pass the buck instead of the bucks to the local level. If you do not fund education adequately enough to avoid increases in levies across the state, the property tax revolt that fueled I-27 and I-105 will look like a tempest in a teapot compared to what will happen then.

Accountability? I hold you accountable to provide the funding necessary for the basic, quality education mandated by our constitution. And I'm going to turn the tables on the governor. It's no good to say "be accountable" and "tighten your belts" and then walk away and let the chips fall where they may. The governor himself needs to be more accountable for what happens to education in this state. I support education that would increase his involvement by putting the OPI under his purview, administered by a superintendent whom he appoints. But that is not the main issue; optimal funding is.

Now for the horror story: When I was graduated from high school, I could choose from a variety of high-quality programs offered by our state colleges and universities. When I see this same opportunity slipping away from my own children, I am horrified — not only horrified, but ashamed. As a teacher and as one of 11 brothers and sisters educated in state universities, I should have been screaming long before now about what is happening there. I hope it is not too late now.

We hear a great deal of talk about the window of opportunity in this state. Let that be a window that our children can look out of! What a shame it is that we could think of sending our fine School of Architecture to Nevada! That place doesn't deserve it; our children do. What a shame that the same thing may happen to the University's School of Pharmacy and other fine schools! What folly that that University has built a beautiful Fine Arts Building and is now forced to hack away at the very programs that give the building life! By crippling our universities, we are in effect denying a higher education to the many, many children who cannot afford to go out of state and have too few options in state. We are crippling our attractiveness, too, to out-of-state interests. Are we to become a state full of "have-nots," dependent on outsiders not only for our livelihoods, but for our best and our brightest, our professionals, even our leaders? Once our children leave this state to get a good education, will they ever come back? These questions horrify me, and I hope they horrify you. On behalf of the teachers and the children in Montana, I urge you to do whatever you have to do to stop the bleeding...but, please, no more amputation.

In a brighter day, I would like to tell you happier things: how proud I am to be a teacher, how good my students, their parents and my colleagues have been to me. But I have already exceeded my time, so...

Let me close by reminding you of a law of nature. Sometimes, when a woman is pregnant, hardship makes it impossible to meet the nutritional needs of both herself and her unborn child. Fortunately, she is never allowed to make a choice. Nature makes it for her and takes the best of what is at hand for the child. The mother may be anemic, but nature seems to take the long view and work to preserve the species.

I have come here to ask you to take the long view as well. Until every child in Montana — the gifted and the handicapped, the girl and the boy, the native American and the Vietnamese refugee — until all of these are educated to the full level of their potential, they are very much like unborn children. Whatever resources we have in this state must be used to provide for their future. In so doing, we provide for our own.

Please don't consider me insensitive to the economic strains in Montana. I face them myself. But I don't believe that raiding our most precious resources, whether they be our children's education or the coal tax fund — does anything but invite disaster.

If you do the hard thing and provide an average of \$3000 a year to educate each school child, you save much more than that in the years to come. You save \$25,000 a year if his education keeps him out of prison. You save thousands if his education keeps him employed and thousands more if it keeps him healthy.

And there are other, less tangible, but more important benefits. We will continue to populate this state with self-reliant young Montanans who love this state as you and I love it, because it has been good to them; bright young Montanans who stay in this state and make it grow because it is a part of them; clear-thinking Montanans who will be good citizens, all of them, good legislators, some of them — and some of them, God willing, good teachers. THANK YOU

The Superintendent and Ms. Moe were then escorted from the House chambers.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/16/87

Correctly printed: HB 30, HB 98, HB 140, HB 153, HB 176.

Correctly engrossed: HB 41, HB 61, HB 65.

Correctly enrolled: HB 1.

Signed by the Speaker at 11:35 a.m.: HB 1.

Delivered to the Governor for his approval at 11:52 a.m.: HB 1.

BUSINESS AND LABOR (Kitselman, Chairman): 1/16/87

HB 122, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman): 1/16/87

HB 162, do pass. Report adopted.

JUDICIARY (Lory, Chairman): 1/15/87

HB 95, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 1/16/87

HB 158, introduced bill, be amended as follows:

1. Page 1, line 23.

Strike: "with"

Insert: "plus accrued"

Following: "interest"

Insert: ". Interest accrues"

2. Page 1, lines 23 and 24.

Strike: "he" on line 23 through "benefit" on line 24

Insert: "on which the member has completed the number of service years in excess of 15 needed to qualify the military service"

And, as amended, do pass. Report adopted.

HB 171, introduced bill, be amended as follows:

1. Page 2, line 1.

Following: "actuaries"

Insert: "or a comparably qualified professional association of actuaries"

And, as amended, do pass. Report adopted.

HB 176, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Bob Marks
Speaker of the House
State Capitol
Helena, Montana 59620

January 16, 1987

Dear Speaker Marks:

This to inform you that I have signed House Bill No. 1 on this date.

Sincerely,

Ted Schwinden
Governor

MOTIONS

Representative Williams moved that Teacher-of-the-year Mary Moe's remarks be included in the Journal. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 235, introduced by Addy. Referred to Committee on Judiciary.

HB 236, introduced by Addy. Referred to Committee on Judiciary.

HB 237, introduced by Harrington, Keenan, Daily, Campbell, McCormick, Quilici, Lynch, Haffey, Ream, Blaylock. Referred to Committee on Education and Cultural Resources.

HB 238, introduced by Bradley, (By Request of the Department of Military Affairs). Referred to Committee on State Administration.

HB 239, introduced by Brandewie, Marks. Referred to Committee on State Administration.

HB 240, introduced by Thomas. Referred to Committee on Business and Labor.

HB 241, introduced by Spaeth, Thayer, Holliday, Poulsen, Cobb, Rasmussen, Donaldson, Mercer, Mazurek, Manuel, Boylan, Harp, Thomas. Referred to Committee on Judiciary.

HB 242, introduced by Harper, Rasmussen, B. Brown, Haffey, Jacobson, Sands, Iverson. Referred to Committee on Business and Labor.

HB 243, introduced by Harper, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Appropriations.

HB 244, introduced by Peterson, (By Request of the Teachers' Retirement Board). Referred to Committee on State Administration.

HB 245, introduced by Swift. Referred to Committee on Taxation.

HB 246, introduced by Cobb. Referred to Committee on Natural Resources.

HB 247, introduced by Cobb. Referred to Committee on Fish and Game.

HB 248, introduced by Simon, (By Request of the Department of Administration). Referred to Committee on Appropriations.

HB 249, introduced by Kitselman. Referred to Committee on Business and Labor.

HB 250, introduced by Jones, C. Smith, Swift, Rehberg, Peterson, Sales, Devlin, Switzer, Swysgood, Hammond, Tveit, Galt, Brandewie, Iverson, Hannah, Giacometto. Referred to Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Nelson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Rapp-Svrcek present at this time.

HB 21 - Representative Swift moved that HB 21, second reading copy, be amended. Amendment failed. (36-62)

Representative Fritz moved that HB 21 do pass. Representative Cohen made a substitute motion that HB 21, second reading copy, be amended. Motion failed. (12-84)

Representative D. Brown moved that HB 21 be amended. After discussion, Representative D. Brown withdrew his amendment.

Representative Addy present at this time.

HB 21 passed as follows:

Ayes: Addy, Asay, Bachini, Brandewie, J. Brown, Bulger, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Poff, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 77

Noes: Bardanouve, Bradley, D. Brown, Campbell, Cobb, Cody, Cohen, Harrington, Iverson, Kadas, McCormick, Moore, Phillips, Pistoria, Poulsen, Quilici, Raney, Ream, Swysgood, Wallin, Whalen.

Total 21

Excused: Ellison.

Total 1

Absent or not voting: Manuel.

Total 1

HB 51 - Representative Peck moved that HB 51 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Cohen, Whalen.

Total 2

Excused: Ellison.

Total 1

Absent or not voting: Asay.

Total 1

HB 64 - Representative Hanson moved that HB 64 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Campbell, Grinde, Hansen, Harper, Stang.

Total 5

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 71 - Representative Asay moved that HB 71 be placed below HB 93 on the second reading board. Motion carried.

HB 77 - Representative J. Brown moved that HB 77 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: D. Brown, Campbell, Cody, Driscoll, Nathe, Peck, Peterson, Raney, Swysgood, Wallin.

Total 10

Excused: Ellison.

Total 1

Absent or not voting: Connelly.

Total 1

HB 81 - Representative J. Brown moved that HB 81 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: D. Brown, Peck.

Total 2

Excused: Ellison.

Total 1

Absent or not voting: Asay.

Total 1

Members of the Revenue Oversight Committee excused at this time.

HB 86 - Representative Asay moved that HB 86 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Giacometto, Glaser, Grady, Grinde, Hannah, Hanson, Harper, Hayne, Hoffman, Holliday, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson,

Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 76

Noes: Campbell, Donaldson, Gilbert, Gould, Hansen, Iverson, Jenkins, Keenan, Koehnke, Menke, Miles, Miller, Peck, Quilici, Ramirez, Sales, Mr. Speaker.

Total 17

Excused: Ellison, Harp, Harrington, Sands, Williams.

Total 5

Absent or not voting: D. Brown, Squires.

Total 2

HB 87 - Representative Devlin moved that HB 87 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 93

Noes: Sales.

Total 1

Excused: Ellison, Harp, Harrington, Sands, Williams.

Total 5

Absent or not voting: Devlin.

Total 1

HB 91 - Representative Hayne moved that HB 91 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Hansen, Kadas, Lory, Sales, Thomas.

Total 5

Excused: Ellison, Harp, Harrington, Sands, Williams.

Total 5

Absent or not voting: None.

Total 0

HB 93 - Representative Hanson moved that HB 93 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 88

Noes: Bardanouve, Cohen, Corne', Peck.

Total 4

Excused: Ellison, Harp, Harrington, Sands, Williams.

Total 5

Absent or not voting: Fritz, Smith, Mr. Speaker.

Total 3

HB 71 - Representative Asay moved that HB 71, second reading copy, be amended as follows:

1. Title, line 8.

Following: "PROGRAM;"

Insert: "AND"

2. Title, line 9.

Following: "1986"

Strike: "; AND APPROPRIATE FUNDS"

3. Page 1, line 17.

Strike: "NEW SECTION." through "\$292,597" on line 24

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 86

Noes: Campbell, Hansen, Jones, Kitselman, Sales, Squires, Mr. Speaker.

Total 7

Excused: Ellison, Harp, Harrington, Sands, Williams.

Total 5

Absent or not voting: Addy, Harper.

Total 2

Representative Asay moved that HB 71, as amended, do pass. Motion failed. (40-54)

Representative Hannah moved that HB 71, as amended, do not pass. Motion carried as follows:

Ayes: Brandewie, J. Brown, Bulger, Campbell, Compton, Connelly, Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hayne, Hoffman, Iverson, Jones, Kennerly, Kitselman, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Simon, Smith, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 59

Noes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, Cobb, Cody, Cohen, Corne', DeMars, Glaser, Hansen, Hanson, Harper, Holliday, Jenkins, Kadas, Keenan, Keller, Koehnke, McCormick, Menahan, Miles, Moore, Poff, Rapp-Svrcek, Ream, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Whalen.

Total 36

Excused: Ellison, Harp, Harrington, Sands, Williams.

Total 5

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Nelson moved the adoption of the committee report. Report adopted. (77-17)

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman):

1/16/87

HB 59, introduced bill, be amended as follows:

1. Page 1, line 22.

Following: "by"

Insert: "prescription, custom, or"

2. Page 2.

Following: line 6

Insert: "NEW SECTION. Section 2. Saving clause. This act does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this act."

And, as amended, do pass. Report adopted.

HB 108, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman):

1/16/87

HB 31, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: "BOARD;" on line 6

Strike: remainder of line 6 and line 7 through "BOARD;"

2. Page 1, lines 19 through 22.

Following: "that" on line 19

Strike: remainder of line 19, lines 20 and 21 in their entirety, and line 22 through "(b)"

3. Page 2, line 1.

Following: "~~represent~~"

Strike: "include"

Insert: "represent"

4. Page 2, line 2.

Following: "~~one~~"

Strike: "two representatives of"

Insert: "one"

5. Page 2, line 3.

Following: "~~company~~"

Strike: "companies"

Insert: "company"

Following: "37-60-101"

Strike: remainder of line 3, line 4 in its entirety, and line 5 through "business"

6. Page 2, line 6.

Following: "one"

Strike: "representative of a"

7. Page 2, lines 7 through 9.

Following: "37-6-101" on line 7

Strike: remainder of line 7, line 8 in its entirety, and line 9 through "business"

8. Page 2.

Strike: lines 10 and 11 in their entirety

Renumber: subsequent subsections

9. Page 2, line 12.

Following: "one"

Strike: "representative of a"

10. Page 2, line 13.

Strike: "and"

11. Page 2, line 14.

Following: "one"

Strike: "representative of a"

12. Page 2, line 15.

Following: "department"

Strike: ","

Insert: ";"

13. Page 2.

Following: line 19

Insert: "(e) one member of the public;

(f) one member of the peace officers' standards and training advisory council; and

(g) a licensed private investigator."

14. Page 2, line 23.

Following: "~~(4)~~"

Strike: "(5)"

15. Page 2, line 24.

Following: "~~years~~"

Strike: remainder of line 24

16. Page 2, line 25.

Following: "~~staggered~~"

Strike: remainder of line 25

And, as amended, do pass. Report adopted.

HB 68, introduced bill, be amended as follows:

1. Title, line 10.

Following: "37-60-405"

Strike: " "

Insert: "THROUGH"

2. Title, line 11.

Following: "37-60-305"

Strike: " "

Insert: "AND"

Following: "37-60-306,"

Strike: "AND 37-60-406,"

3. Page 2, line 9.

Following: "wears,"

Strike: "or"

Insert: " , "

4. Page 2, line 10.

Following: "~~to~~"

Insert: " , possesses, or has access to"

Following: "a"

Strike: "concealed"

5. Page 9.

Following: line 11

Insert: "(8) requiring licensees to file such insurance policy or proof of financial responsibility as the board considers necessary with the board,"

Renumber: subsequent subsections

6. Page 20.

Following: line 16

Insert: "Section 15. Section 37-60-406, MCA, is amended to read:

"37-60-406. Peace officer's casual employment. A peace officer, as defined in 46-1-201, or a reserve officer, as defined in 7-32-201, is not prohibited or restricted from accepting and engaging in employment as a security guard during his off-duty hours, provided that he does not advertise his services or solicit employment and further provided that the chief of his department previously approves the off-duty employment. A peace officer or reserve officer so engaged in casual employment is exempt from the provisions of this chapter only if the casual employment is authorized in writing by his sheriff or chief of police."

Renumber: subsequent sections

7. Page 20, line 21.

Following: "~~carry~~,"

Insert: ", carry,"

8. Page 20, line 22.

Following: "a"

Strike: "metal"

9. Page 22, line 20.

Following: "37-60-305"

Strike: ",

Insert: "and"

Following: "37-60-306"

Strike: "and 37-60-406,"

And, as amended, do pass. Report adopted.

JUDICIARY (Lory, Chairman):

1/16/87

HB 82, introduced bill, be amended as follows:

1. Page 1, lines 21, 22, and 24.

Following: "department"

Insert: "of social and rehabilitation services"

2. Page 2, line 14.

Following: "department"

Insert: "of social and rehabilitation services"

3. Page 2, line 25.

Following: "The department"

Insert: "of social and rehabilitation services"

4. Page 3, line 21.

Following: "state, the department"

Insert: "of social and rehabilitation services"

5. Page 3.

Following: line 22

Insert: "NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of revenue or the department of social and rehabilitation services to make rules on the subject of the provisions of this act is extended to the provisions of this act."

And, as amended, do pass. Report adopted.

HB 134, introduced bill, be amended as follows:

1/15/87

1. Page 1, line 23.

Following: "consent"

Insert: "in writing"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

1/16/87

HB 124, do pass. Report adopted.

HB 125, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

1/16/87

HB 151, do pass. Report adopted.

Adverse Committee Reports

HB 148, as amended, do not pass.

MOTIONS

Representative Ramirez moved that HB 170 be taken from the Committee on Taxation and rereferred to the Committee on Business and Labor,

because the subject matter deals more with lien laws than with taxes. Motion carried.

Representative Donaldson moved that HB 86 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Simon moved that consideration of HB 101 be passed until the thirteenth legislative day. Motion carried. (79-13)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 251, introduced by Cobb, Bradley, Jacobson, Kennerly, Simon, Keating, (By Request of the Legislative Audit Committee). Referred to Committee on State Administration.

HB 252, introduced by Hanson, Galt, Boylan, Bishop, Poff, Hirsch, Thayer, Swift, O'Connell, McCormick, Keating. Referred to Committee on Taxation.

HB 253, introduced by Ream, Pinsoneault. Referred to Committee on Local Government.

HB 254, introduced by Thomas, B. Brown, (By Request of the Joint Interim Subcommittee on Liability Issues). Referred to Committee on Business and Labor.

HB 255, introduced by Gilbert. Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 61 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Ellison, Harp, Harrington, Sands, Williams.

Total 5

Absent or not voting: None.

Total 0

HB 65 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert,

Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 93

Noes: Giacometto, Hannah.

Total 2

Excused: Ellison, Harp, Harrington, Sands, Williams.

Total 5

Absent or not voting: None.

Total 0

Representative Hannah moved that the House adjourn until 9:00 a.m., January 17, 1987.

Motion carried.

House adjourned at 6:15 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

TWELFTH LEGISLATIVE DAY

Helena, Montana
January 17, 1987

House Chambers
State Capitol

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Wallin. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellison and Simon, excused. Quorum present.

MOTIONS

Representative Hannah moved the House stand in recess until 9:40 a.m. for both parties to caucus. Motion carried.

House recessed at 9:15 a.m.

House reconvened at 10:00 a.m.

Mr. Speaker in the Chair.

Representative Ramirez excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/17/87
Correctly printed: HB 31, HB 59, HB 68, HB 82, HB 95, HB 108, HB 122, HB 124, HB 125, HB 134, HB 151, HB 158, HB 162, HB 171.
Correctly engrossed: HB 21, HB 51, HB 64, HB 77, HB 81, HB 87, HB 91, HB 93.

TAXATION (Ramirez, Chairman): 1/16/87

Adverse Committee Reports

HB 148, introduced bill, be amended and as amended, do not pass. Vice-Chairman Asay moved to adopt the adverse committee report. Representative Donaldson made a substitute motion that the adverse committee report on HB 148 be rejected and the bill be printed and placed on second reading on Monday, 1/19/87. The Donaldson motion passed as follows:

Ayes: Asay, Bachini, Bardanoue, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Connolly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, Manuel, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 78

Noes: Addy, Bulger, Cody, Cohen, Daily, Driscoll, Fritz, Hansen, Harrington, Kadas, Keenan, Koehnke, McCormick, Menahan, Miles, Poulsen, Raney, Ream, Schye, Squires, Strizich, Whalen.
Total 22

Paired: Ellison, Ramirez, Simon, Ayes; Harrington, Keenan, Menahan, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Ramirez present at this time.

Representative Strizich excused at this time.

MOTIONS

Representative Holliday moved that the House reconsider its action yesterday in failing to pass HB 71 on second reading. After discussion, Representative Gould moved the previous question. Motion carried. (63-34) The Holliday motion failed to pass. (43-56)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 256, introduced by Pistoria, Peck, O'Connell, Koehnke, McCormick, Miller, Bachini, Pavlovich, Harp, Brandewie, Winslow, Swift, Mercer, Switzer, J. Brown, Devlin. Referred to Committee on Judiciary.

HB 257, introduced by Brandewie. Referred to Committee on Business and Labor.

HB 258, introduced by Thomas. Referred to Committee on Education and Cultural Resources.

HB 259, introduced by Winslow, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 260, introduced by Winslow, Cobb, Miller, Campbell, Swysgood, Hannah. Referred to Committee on Taxation.

HB 261, introduced by Nathe, Moore, Quilici, Swysgood, Menke, Hoffman, Miller, O'Connell, Pavlovich, Phillips, Rehberg, Glaser, Campbell, Winslow, Cobb, Swift, Peck, Menahan, Driscoll, Poulsen, Pistoria, Patterson, Donaldson, Giacometto, C. Smith, Bulger, McCormick, J. Brown, D. Brown, Jones, Harper, Daily, Nisbet, Ramirez, Bachini, Holliday, Fritz, Bradley, Manuel, Koehnke. Referred to Committee on Highways and Transportation.

HB 262, introduced by Bradley, Miles, Cobb, Winslow, Wallin. Referred to Committee on Judiciary.

HB 263, introduced by Bachini, Kolstad, Lynch, Pavlovich, Connelly, Nathe, Peck, Walker, Stimatz, Nisbet, O'Connell, J. Brown, Koehnke, McCormick, Menahan, Poff, Harper, Devlin, Compton, Jenkins. Referred to Committee on Education and Cultural Resources.

HB 264, introduced by Miller, (By Request of the Department of Commerce). Referred to Committee on Business and Labor.

HB 265, introduced by Phillips. Referred to Committee on State Administration.

HB 266, introduced by Ream, Jacobson. Referred to Committee on Fish and Game.

HB 267, introduced by Mercer, Mazurek, Hansen. Referred to Committee on Judiciary.

HB 268, introduced by Thomas. Referred to Committee on Judiciary.

HB 269, introduced by Jones, C. Smith, Peterson, Harp, Brandewie, Grady, Thoft, Swysgood, Glaser, McCormick, Hannah, Mercer, Darko, Moore, Rapp-Svrcek. Referred to Committee on Highways and Transportation.

HB 270, introduced by Ramirez, Mazurek, Pavlovich, Donaldson, Holliday, Thoft, Gage. Referred to Committee on Taxation.

HB 271, introduced by Ramirez, Mazurek, Pavlovich, Donaldson, Holliday, Thoft, Gage. Referred to Committee on Taxation.

HB 272, introduced by Ramirez, Mazurek, Pavlovich, Donaldson, Holliday, Thoft, Gage. Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Driscoll in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 106 - Representative Kadas moved that HB 106 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: DeMars, Giacometto, Jones, Nelson, Raney, Sands, Switzer, Wallin.

Total 8

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: Harrington.

Total 1

HB 132 - Representative Fritz moved that HB 132 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: Harrington.

Total 1

SJR 6 - Representative Hannah moved that consideration of SJR 6 be passed for the day. Motion carried.

HB 30 - Representative Kitselman moved that HB 30 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Bardanouve, Bulger, Sands.

Total 3

Paired: Strizich, Aye; Bardanouve, No.

Excused: Ellison, Simon.

Total 2

Absent or not voting: D. Brown.

Total 1

HB 98 - Representative Manuel moved that HB 98 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: Driscoll.

Total 1

HB 140 - Representative Bardanouve moved that HB 140 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Hannah.

Total 1

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: Driscoll, Jones.

Total 2

HB 153 - Representative Bardanouve moved that HB 153 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: Driscoll.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Driscoll moved the adoption of the committee report. Report adopted. (93-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 21 passed as follows:

Ayes: Addy, Asay, Bachini, Brandewie, J. Brown, Bulger, Campbell, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson,

Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thoft, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 78

Noes: Bardanouve, Bradley, D. Brown, Cobb, Cody, Cohen, Harrington, Iverson, Kadas, Moore, Nathe, Phillips, Pistoria, Quilici, Raney, Ream, Swysgood, Wallin, Whalen.

Total 19

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: None.

Total 0

HB 41 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Bulger, Giacometto, Ramirez, Raney, Sales.

Total 5

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: None.

Total 0

HB 51 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Cohen, Whalen.

Total 2

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: None.

Total 0

HB 64 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Campbell, Cohen, Grinde, Hansen, Harper, Kadas, Stang.

Total 7

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: None.

Total 0

HB 77 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thoft, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 86

Noes: D. Brown, Campbell, Cobb, Cody, Peck, Peterson, Raney, Swysgood, Wallin, Whalen.

Total 10

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: Harrington.

Total 1

HB 81 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper,

Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: D. Brown, Driscoll, Nathe, Peck, Spaeth, Whalen.

Total 6

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: None.

Total 0

HB 87 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Sales.

Total 1

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: None.

Total 0

HB 91 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Lory, Sales, Thomas.

Total 3

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: None.

Total 0

HB 93 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Corne', Fritz.

Total 2

Excused: Ellison, Simon, Strizich.

Total 3

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks thanked this week's pages for their services and introduced them as follows:

Beth Petro, Miles City
Cathy Stevenson, Miles City
Mike Novasio, Colstrip
Nita Beery, Circle
Lisa Taplin, Helena
Shawn Gun Shows, Lodge Grass

Representative Hannah moved that the House adjourn until 3:30 p.m., January 19, 1987.

Motion carried.

House adjourned at 11:35 a.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

THIRTEENTH LEGISLATIVE DAY

Helena, Montana
January 19, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Addy. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the eleventh and twelfth legislative days, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/19/87
Correctly printed: HB 148.
Correctly engrossed: HB 30, HB 98, HB 106, HB 132, HB 140, HB 153.

JUDICIARY (Lory, Chairman): 1/14/87
HB 19, introduced bill, be amended as follows:

1. Title, line 7.
Following: "25-13-614,"
Insert: "70-32-103,"
Following: "70-32-104,"
Insert: "70-32-106,"

2. Title, line 8.
Following: "70-32-214,"
Insert: "70-32-302,"

3. Page 2, line 21.
Following: "property,"
Insert: "in"

4. Page 2, line 23.
Following: "books,"
Insert: "firearms and other sporting goods,"
Following: "animals,"
Insert: "feed,"

5. Page 8, line 17.
Following: "spouse to"
Strike: "the homestead"
Following: "allowance"
Strike: ",",

6. Page 8, line 18.
Following: "property"
Strike: ",",

7. Page 9, line 1.
Following: "share,"
Strike: "homestead"
Following: "allowance"
Strike: ",",

8. Page 9, line 11.

Following: "of"

Strike: "homestead"

Following: "~~allowance~~"

Strike: ","

9. Page 9, line 12.

Following: "property"

Strike: ","

10. Page 10, line 9.

Following: "to"

Strike: "homestead"

11. Page 10, line 10.

Following: "~~allowance~~"

Strike: ","

Following: "property"

Strike: ","

12. Page 10, line 15.

Following: "expenses,"

Strike: "homestead"

Following: "~~allowance~~"

Strike: ","

13. Page 14, line 3.

Following: "~~allowance~~"

Insert: "election"

14. Page 14, line 10 through line 1 on page 15.

Strike: subsection (1) in its entirety

Insert: "(1) If the spouse or a minor or dependent child survives the decedent by 120 hours, the personal representative may declare a homestead on behalf of the decedent's estate pursuant to Title 70, chapter 32."

15. Page 15, lines 2 and 3.

Strike: "has" on line 2 through "all" on line 3

Insert: "is exempt from all unsecured"

16. Page 15, line 3.

Following: "and"

Strike: "is exempt"

17. Page 15, lines 5 through 9.

Strike: subsection (3) in its entirety

18. Page 15, lines 11 and 12.

Following: "(1)"

Strike: "In addition to the homestead"

19. Page 15, line 12.

Following: "~~allowance~~"

Strike: ", the"

Insert: "The"

20. Page 16, line 4.

Following: "the"

Strike: "homestead"

21. Page 16, line 5.

Following: "~~allowance~~"

Strike: "and"

22. Page 16, line 12.

Following: "to"

Strike: "a homestead"

Following: "allowance"

Strike: "and"

23. Page 17, line 6.

Following: "claims"

Strike: "but not over the homestead"

24. Page 17, line 18.

Following: "rights to" on line 17

Strike: "homestead and" on line 18

25. Page 17, line 21.

Following: "as"

Strike: "the homestead"

Following: "allowance"

Strike: "and"

26. Page 18.

Following: line 2

Strike: "the homestead" on line 3

Following: "allowance"

Strike: "or"

27. Page 19, line 6.

Following: "to"

Strike: "the homestead"

28. Page 19, line 7.

Following: "allowance"

Strike: ", "

Following: "property"

Strike: ", "

29. Page 19, line 17.

Strike: "homestead"

Following: "allowance"

Strike: ", "

Following: "exemption"

Strike: ", "

30. Page 20, line 6.

Following: "allowance"

Insert: "election"

31. Page 21, line 3.

Following: "allowance"

Insert: "election"

32. Page 21.

Following: line 21

Insert: "Section 23. Section 70-32-103, MCA, is amended to read:

"70-32-103. From whose property homestead may be selected — declaration on behalf of decedent. (1) If the claimant ~~be~~ is married, the homestead may be selected from the property of either spouse. When the claimant is not married, the homestead may be selected from any of his or her property.

(2) For purposes of this chapter, the term "claimant" includes a personal representative of a decedent's estate who under 72-2-801 declares a homestead on behalf of the estate."

Section 24. Section 70-32-106, MCA, is amended to read:

"70-32-106. Contents of declaration. (1) The declaration of homestead must contain a statement that the person making it is residing on the premises and claims them as a homestead and a description of the premises.

(2) If the declaration of homestead is made by the personal representative on behalf of a decedent's estate under 72-2-801, it must contain:

(a) a description of the premises;

(b) a statement that the surviving spouse or minor or dependent child was residing on the premises at the time of the decedent's death; and

(c) a declaration that the personal representative is claiming the premises as a homestead."

Section 25. Section 70-32-302, MCA, is amended to read:

"70-32-302. How abandoned — declaration. A homestead can be abandoned only by a declaration of abandonment or a grant thereof executed and acknowledged by:

(1) the husband and wife if the claimant is married;

(2) the claimant if unmarried; or

(3) the personal representative if a declaration is made on behalf of a decedent's estate under 72-2-801."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 139, introduced bill, be amended as follows:

1/19/87

1. Page 2, line 3.

Following: "~~25% of his gross annual income~~"

Insert: "25% of his gross annual income or"

2. Page 2, line 4.

Following: "year"

Insert: ", whichever is greater"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

1/19/87

HB 204, do pass. Report adopted.

MOTIONS

Representative Hannah moved that consideration of SJR 6, the joint rules, be passed for the day. Motion carried.

Representative Cody moved that Koehnke be added as a sponsor to HB 115. Motion carried.

Representative Jenkins moved that Iverson, Aklestad, and Kolstad be added as sponsors to HB 28. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 273**, introduced by Nelson, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.
- HB 274**, introduced by Asay, Switzer, Devlin, Giacometto, Stratford, Donaldson, Patterson, D. Brown, Nathe, Hannah, Jenkins. Referred to Committee on Taxation.
- HB 275**, introduced by Rapp-Svrcek, Neuman, (By Request of the Joint Interim Subcommittee on Agricultural Problems). Referred to Committee on Appropriations.
- HB 276**, introduced by Eudaily, Lory, Peck, (By Request of the Teachers' Retirement Board). Referred to Committee on State Administration.
- HB 277**, introduced by Connelly, Halligan, Peterson, Lory, Ream, Brandewie, Harp, Kadas, Hansen, Moore, Vincent, Fritz, Squires. Referred to Committee on Local Government.
- HB 278**, introduced by Grady, Thomas, (By Request of the State Auditor). Referred to Committee on Business and Labor.
- HB 279**, introduced by Nathe, Devlin, E. Smith. Referred to Committee on Education and Cultural Resources.
- HB 280**, introduced by Hanson, Giacometto, Thomas. Referred to Committee on Local Government.
- HB 281**, introduced by Spaeth, (By Request of the Department of Justice). Referred to Committee on Highways and Transportation.
- HB 282**, introduced by Lory, Squires, Hansen, Gould. Referred to Committee on Taxation.
- HB 283**, introduced by Darko, J. Brown, (By Request of the Child Support Advisory Council). Referred to Committee on Judiciary.
- HB 284**, introduced by Darko, J. Brown, (By Request of the Child Support Advisory Council). Referred to Committee on Judiciary.
- HB 285**, introduced by Cody. Referred to Committee on Taxation.
- HB 286**, introduced by Spaeth, Lybeck, Tveit, Meyers, Cobb, Swysgood, Keller, Hayne, Gilbert, Poff, Koehnke, Sales, Bengtson, Schye, Compton. Referred to Committee on Judiciary.
- HB 287**, introduced by Eudaily. Referred to Committee on Taxation.
- HB 288**, introduced by Pistoria, McCormick, Pavlovich, O'Connell. Referred to Committee on Taxation.
- HB 289**, introduced by Pistoria, McCormick, Pavlovich, O'Connell. Referred to Committee on Taxation.
- HB 290**, introduced by Spaeth, McLane. Referred to Committee on Natural Resources.
- HB 291**, introduced by Peck, Harp, (By Request of the Department of Justice). Referred to Committee on Judiciary.
- HB 292**, introduced by McCormick, Pistoria, Peck, Strizich, O'Connell, Keenan, Poff, Schye, Nisbet. Referred to Committee on State Administration.
- HB 293**, introduced by Devlin. Referred to Committee on Agriculture.
- HB 294**, introduced by Eudaily, Darko, Daily, Nelson. Referred to Committee on Education and Cultural Resources.
- HR 2**, introduced by Rapp-Svrcek, Harp, Quilici, Miller, Winslow, Eudaily, Harper, Bradley. Referred to Committee on Rules.
- HJR 7**, introduced by Asay, Giacometto, Jenkins, Nathe. Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Schye in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 95 - Representative Addy moved that HB 95, second reading copy, be amended as follows:

1. Title, line 4.

Following: "ELIMINATING"

Insert: "UNLESS THE WARD OR PROTECTED PERSON IS 65 YEARS OF AGE OR OLDER,"

2. Page 3, line 12.

Following: "rule"

Insert: "except that an annual report for the preceding year must also be made if the ward is 65 years of age or older"

3. Page 5, line 5.

Following: "direct"

Insert: "except that an annual account for the preceding year must also be made if the protected person is 65 years of age or older"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Sands, Switzer.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Addy moved that HB 95, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Bachini, Fritz, Jenkins, Wallin.

Total 4

Excused: None.

Total 0

Absent or not voting: D. Brown, Moore.

Total 2

HB 101 - Representative Simon moved that HB 101 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Brandewie, Campbell, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, McCormick, Menke, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 52

Noes: Asay, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Grady, Hansen, Harp, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Manuel, Menahan, Miles, Moore, Nisbet, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 47

Excused: None.

Total 0

Absent or not voting: Mercer.

Total 1

HB 108 - Representative Simon moved that HB 108 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Brandewie, D. Brown, Cohen, Fritz, Miles, Nisbet, Stang, Strizich, Whalen.

Total 9

Excused: None.

Total 0

Absent or not voting: Harper.

Total 1

HB 122 - Representative Peck moved that HB 122 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cobb, Grinde, Miller, Poulsen, Roth, Switzer.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 124 - Representative Nelson moved that HB 124 do pass. Motion failed. (50-50)

Representative Hannah moved that HB 124 do not pass. Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Giacometto, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, Manuel, Menahan, Miles, Miller, Moore, Nisbet, Pavlovich, Phillips, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Simon, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Whalen, Williams, Mr. Speaker.

Total 51

Noes: Asay, Bachini, Brandewie, Campbell, Compton, Devlin, Donaldson, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, McCormick, Menke, Mercer, Meyers, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Pistoria, Poff, Ramirez, Rehberg, Roth, Sales, Sands, Smith, Stratford, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 125 - Representative Nelson moved that consideration of HB 125 be passed for the day. Motion carried.

HB 148 - Representative Donaldson moved that HB 148, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "REVENUE COLLECTED FROM 2 CALENDAR QUARTERS"

Insert: "\$25 MILLION"

2. Page 2, line 10.

Following: "TRANSFER"

Insert: "THE AMOUNT OF \$25 MILLION"

3. Page 2, line 13.

Following: "FUND"

Strike: "AN AMOUNT" through "1987" on line 15

Amendment passed as follows:

Ayes: Bradley, Brandewie, J. Brown, Campbell, Cobb, Compton, Connelly, Corne', Daily, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Ramirez, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 70

Noes: Addy, Asay, Bachini, Bardanouve, D. Brown, Bulger, Cody, Cohen, Darko, DeMars, Giacometto, Glaser, Hansen, Harrington, McCormick, Miles, Moore, Nisbet, Peck, Phillips, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schye, Strizich, Mr. Speaker.

Total 29

Excused: None.

Total 0

Absent or not voting: Poff.

Total 1

Representative Poff excused at this time.

Representative Donaldson moved that HB 148, as amended, do pass.
After discussion, Representative Quilici moved that consideration of HB 148 be passed for the day. Motion failed. (49-51)

Representative Poff present at this time.

Representative Addy made a substitute motion that HB 148 be further amended. Amendment failed. (41-59)

HB 148, as amended, failed. (28-72)

Representative Hannah moved that HB 148, as amended, do not pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Kadas, Keenan, Kitselman, Koehnke, Lory, McCormick, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nisbet, Patterson, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Vincent, Whalen, Mr. Speaker.

Total 69

Noes: Brandewie, D. Brown, Campbell, Devlin, Donaldson, Gould, Grady, Harp, Hayne, Holliday, Jenkins, Jones, Keller, Kennerly, Manuel, Menke, Nathe, Nelson, O'Connell, Pavlovich, Pistoria, Poulsen, Sands, Smith, Spaeth, Swift, Swysgood, Thomas, Wallin, Williams, Winslow.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Schye moved the adoption of the committee report. Representative Williams made a substitute motion that HB 148 be segregated from the report and the committee of the whole report, as amended, be adopted. Report adopted. (56-44)

MOTIONS

Representative Nelson moved that consideration of HB 125 be indefinitely postponed. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Campbell, Gilbert, Gould, Nathe, Pistoria.

Total 5

Excused: None.

Total 0

Absent or not voting: O'Connell.

Total 1

Representative Williams moved that HB 148 be taken from second reading and rereferred to the Committee on Taxation. Motion carried.

Representative Asay moved that Keating, Hoffman, and Bishop be added as sponsors to HB 274. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 30 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips,

Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: Bardanouve, Bulger, Sands.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 98 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 106 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow.
Total 85

Noes: Asay, Brandewie, DeMars, Devlin, Ellison, Giacometto, Harp, Manuel, Menke, Nelson, Raney, Sands, Switzer, Wallin, Mr. Speaker.
Total 15

Excused: None.
Total 0

Absent or not voting: None.

Total 0

HB 132 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Asay, Brandewie, Ellison, Harp, Peck.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 20, 1987.

Motion carried.

House adjourned at 8:00 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FOURTEENTH LEGISLATIVE DAY

Helena, Montana
January 20, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Hansen. Pledge of Allegiance to the Flag.

Roll call. All members present except Daily, Quilici, and Sales, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirteenth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/20/87
Correctly printed: HB 19, HB 139, HB 204.
Correctly engrossed: HB 95, HB 101, HB 108, HB 122.

STATE ADMINISTRATION (Phillips, Vice-Chairman): 1/20/87
HB 190, do pass. Report adopted.
HB 203, introduced bill, be amended as follows:

1. Page 2, line 14.
Strike: "accidentally"

2. Page 3, line 2.
Following: "~~(2)~~(c),"

Insert: "(2)(d),"

And, as amended, do pass. Report adopted.

HB 226, do pass. Report adopted.

MOTIONS

Representative Hannah moved that consideration of SJR 6 on second reading be passed for the day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 295, introduced by Pistoria. Referred to Committee on Education and Cultural Resources.

HB 296, introduced by Pistoria, Kadas, McCormick. Referred to Committee on State Administration.

HB 297, introduced by Kadas, Halligan. Referred to Committee on Highways and Transportation.

HB 298, introduced by Rapp-Svrcek, Grady, Brandewie, Eudaily, Yellowtail, Jacobson, Ream, Moore, Cobb, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Fish and Game.

HB 299, introduced by Bardanouve, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.

HB 300, introduced by Lory, (By Request of the Board of Regents). Referred to Committee on State Administration.

- HB 301**, introduced by Rapp-Svrcek, Gould, Pinsoneault, Halligan, Hannah, Van Valkenburg, Sands. Referred to Committee on Judiciary.
- HB 302**, introduced by Bradley, Thayer, Manuel, Spaeth, Brandewie, Harp, Halligan, Boylan, Donaldson, Neuman. Referred to Committee on Business and Labor.
- HB 303**, introduced by D. Brown, Bulger, Strizich, M. Williams. Referred to Committee on Education and Cultural Resources.
- HB 304**, introduced by Pistoria. Referred to Committee on Highways and Transportation.
- HB 305**, introduced by Cohen. Referred to Committee on Judiciary.
- HB 306**, introduced by Harper, Nathe. Referred to Committee on State Administration.
- HB 307**, introduced by Harper, Cobb. Referred to Committee on Fish and Game.
- HB 308**, introduced by Miles, Gilbert, Driscoll, Blaylock, Devlin, E. Smith, D. Brown, Spaeth, Harper. Referred to Committee on Natural Resources.
- HB 309**, introduced by Quilici, Spaeth, Harp, Pavlovich, Manning, Daily, (By Request of the Department of Labor and Industry and the Board of Crime Control). Referred to Committee on Judiciary.
- HB 310**, introduced by Kitselman, Mazurek. Referred to Committee on Business and Labor.
- HB 311**, introduced by Kadas. Referred to Committee on Local Government.
- HB 312**, introduced by Hansen, Hoffman, Squires, Kadas, Stang. Referred to Committee on Local Government.
- HB 313**, introduced by Pavlovich. Referred to Committee on Business and Labor.
- HB 314**, introduced by Patterson, Ellison, Keller, Swift, Kolstad, Campbell, Glaser, Giacometto, Tveit, Sands, Koehnke, Hanson, Swysgood, Hannah, Meyers, Switzer, Devlin, Compton, E. Smith, Nathe, Rehberg, Iverson, Brandewie, D. Brown, Spaeth, Mercer, Wallin, Cobb, Jones, C. Smith, Jenkins, Phillips, Manuel, Keating, Grinde, Moore, Peterson. Referred to Committee on Taxation.
- HB 315**, introduced by Hoffman, Cobb, Keller, Giacometto, Asay, Hanson, Switzer, Meyers, Nathe, Anderson, Swysgood, Koehnke, Poff. Referred to Committee on Taxation.
- HB 316**, introduced by Addy, Hager, Keenan, Pistoria, Mazurek, Stratford, Hansen, Lory, Bulger. Referred to Committee on Judiciary.
- HB 317**, introduced by Grady. Referred to Committee on Highways and Transportation.
- HB 318**, introduced by Brandewie, Grady, Swift, Harp, Driscoll, O'Connell, Hannah, Thoft, Glaser, Campbell, Devlin, C. Smith, Kitselman, Jones, D. Brown, Mercer, Peterson, McCormick, Patterson, Meyers, Gilbert, Connelly, Farrell, Thomas. Referred to Committee on Taxation.
- HB 319**, introduced by Hansen, Corne', Stang, Miles, Darko, Squires, Kadas, Fritz, Whalen. Referred to Committee on Highways and Transportation.
- HB 320**, introduced by Hansen, Corne', Kadas, Fritz, Whalen, Miles. Referred to Committee on Local Government.
- HB 321**, introduced by Bulger, (By Request of the Department of Justice). Referred to Committee on State Administration.
- HB 322**, introduced by Eudaily, Mercer, Addy, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Judiciary.

- HB 323**, introduced by Keller, Hayne, Asay, Patterson, Hanson, Giacometto, Poff, Holliday, Spaeth. Referred to Committee on Agriculture.
- HB 324**, introduced by Peck, B. Brown, Darko, Hansen, Driscoll, J. Brown, Nisbet, Miller, Nelson, Keating, Whalen. Referred to Committee on Education and Cultural Resources.
- HB 325**, introduced by Mercer, M. Williams, Mazurek, Squires, Cobb, Ream, Peck, Lory, Campbell, Eck, Hansen, Kadas, Fritz, Donaldson, Miles, Grady, Winslow, O'Connell, Addy, Spaeth, Harrington, Bachini, Miller, Jergeson, Manuel, Blaylock, Regan, Patterson, B. Brown, Darko, (By Request of the Governor's Office). Referred to Committee on State Administration.
- HB 326**, introduced by Addy, (By Request of the Department of Institutions). Referred to Committee on Judiciary.
- HB 327**, introduced by Bulger. Referred to Committee on Human Services.
- HB 328**, introduced by Spaeth, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.
- HB 329**, introduced by Ream, Ellison, E. Smith, Bishop. Referred to Committee on Fish and Game.
- HB 330**, introduced by J. Brown, Grady. Referred to Committee on Taxation.
- HB 331**, introduced by Bradley. Referred to Committee on Agriculture.
- HB 332**, introduced by J. Brown. Referred to Committee on Business and Labor.
- HB 333**, introduced by Keenan, Menahan. Referred to Committee on Education and Cultural Resources.
- HB 334**, introduced by Keenan, (By Request of the Board of Social Work Examiners and Professional Counselors). Referred to Committee on Business and Labor.
- HR 3**, introduced by Sands. Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Compton in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 151 - Representative Pistoria moved that HB 151 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connely, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Giacometto, Peterson.

Total 2

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: Fritz.

Total 1

HB 162 - Representative Kennerly moved that HB 162 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: Connelly, Iverson.

Total 2

HB 176 - Representative Bardanouve moved that HB 176 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: None.

Total 0

HB 31 - Representative Kitselman moved that HB 31 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Ramirez, Rehberg, Roth, Sands, Simon, Smith, Spaeth, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 59

Noes: Addy, Bardanouve, Bradley, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Darko, Driscoll, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Menahan, Miles, Miller, Moore, Nathe, Phillips, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Switzer, Vincent, Whalen, Williams.

Total 36

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: Compton, Kennerly.

Total 2

HB 40 - Representative Glaser moved that HB 40 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Menke, Mercer, Meyers, Moore, Nathe, Nelson, O'Connell, Patterson, Peterson, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 78

Noes: Giacometto, Hansen, Harper, Iverson, Keenan, Koehnke, Manuel, Menahan, Miles, Miller, Nisbet, Pavlovich, Peck, Phillips, Stang, Whalen, Williams.

Total 17

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: Bardanouve, Connelly.

Total 2

HB 59 - Representative Hanson moved that HB 59 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hanson, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Miller, Nelson, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Rehberg, Roth, Russell, Sands, Schye, Smith, Squires, Stratford, Swift, Switzer, Thomas, Whalen, Williams, Winslow, Mr. Speaker.

Total 62

Noes: Bachini, Brandewie, D. Brown, Campbell, Cody, Corne', Darko, DeMars, Eudaily, Grady, Hannah, Hansen, Harp, Harper, Iverson, Kadas, Menke, Mercer, Moore, Nathe, Nisbet, O'Connell, Peck, Ramirez, Raney, Rapp-Svrcek, Ream, Simon, Spaeth, Stang, Strizich, Swysgood, Thoft, Vincent, Wallin.

Total 35

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: None.

Total 0

HB 68 - Representative Kitselman moved that HB 68 do pass. Motion carried as follows:

Ayes: Bachini, Bradley, Brandewie, J. Brown, Campbell, Cody, Compton, Connelly, DeMars, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Pistoria, Poulsen, Ramirez, Rehberg, Roth, Sands, Simon, Smith, Stratford, Strizich, Swysgood, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 61

Noes: Addy, Asay, Bardanouve, D. Brown, Bulger, Cobb, Cohen, Corne', Darko, Devlin, Driscoll, Harrington, Hoffman, Holliday, Keenan, Kennerly, Menahan, Miles, Miller, Nathe, Pavlovich, Phillips, Poff, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Swift, Switzer, Thoft, Vincent, Whalen.

Total 35

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: Spaeth.

Total 1

HB 82 - Representative J. Brown moved that HB 82 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cobb, Thomas.

Total 2

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: D. Brown.

Total 1

HB 134 - Representative Addy moved that HB 134 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Hoffman, Nathe, Wallin.

Total 3

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: None.

Total 0

HB 158 - Representative Nathe moved that HB 158 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Cohen.

Total 1

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: None.

Total 0

HB 171 - Representative Fritz moved that HB 171 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke,

Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: None.

Total 0

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Compton moved the adoption of the committee report. Report adopted. (97-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 95 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Bachini, Raney, Wallin.

Total 3

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: O'Connell.

Total 1

HB 101 failed to pass as follows:

Ayes: Brandewie, Campbell, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Menke, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 48

Noes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars,

Driscoll, Fritz, Grady, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 51

Paired: Peck, Sales, Ayes; Daily, Quilici, Noes.

Excused: None.

Total 0

Absent or not voting: Mercer.

Total 1

HB 108 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Brandewie, D. Brown, Cohen, Fritz, Harp, Miles, Nisbet, Stang, Strizich.

Total 9

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: Bulger, Poff, Whalen.

Total 3

HB 122 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: D. Brown, Cody, Harp, Switzer.

Total 4

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: Hansen.

Total 1

HB 140 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: O'Connell.

Total 1

HB 153 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Daily, Quilici, Sales.

Total 3

Absent or not voting: O'Connell.

Total 1

REPORTS OF STANDING COMMITTEES

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

1/19/87

HB 121, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AND BROADCAST"

2. Page 2, line 24.

Following: "(1)"

Insert: "(a)"

3. Page 3, line 1.

Strike: "20 days or more than 30"

Insert: "40"

4. Page 3, line 2.

Following: "by"

Insert: ":

(i) publication of the notice in a newspaper of general circulation in the district; or

(ii) if there is no newspaper of general circulation,"

5. Page 3, line 5.

Following: "precinct."

Insert: "(b)"

6. Page 3, line 7.

Following: "~~supplemental~~"

Insert: "supplemental"

7. Page 3, line 8.

Strike: "a newspaper or by"

8. Page 3, line 9.

Strike: "in lieu of posted notices"

Following: "~~may~~"

Strike: "shall"

Insert: "may"

9. Page 4.

Following: line 18

Insert: "NEW SECTION. Section 5. Oath of judges. Before votes are cast, the school election judges shall take and subscribe the official oath prescribed by the constitution. The election judges may administer the oath to each other.

NEW SECTION. Section 6. Codification instruction. Section 5 is intended to be codified as an integral part of Title 20, chapter 20, part 4, and the provisions of Title 20, chapter 20, apply to section 5."

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman):

1/20/87

HB 58, do pass. Report adopted.

HB 116, do pass. Report adopted.

MOTIONS

Representative Donaldson moved that HB 40 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 21, 1987.

Motion carried.

House adjourned at 5:49 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FIFTEENTH LEGISLATIVE DAY

Helena, Montana
January 21, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Sands. Pledge of Allegiance to the Flag.

Roll call. All members present except Donaldson, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fourteenth legislative day, find the same to be correct.

Hayne, Chairman

COMMUNICATIONS AND PETITIONS

Speaker Marks appointed the following members to the Legislative Audit Committee:

Representative Cobb
Representative Simon
Representative Fritz
Representative Bradley

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/21/87
Correctly printed: HB 58, HB 116, HB 121, HB 190, HB 203, HB 226.
Correctly engrossed: HB 31, HB 59, HB 68, HB 82, HB 134, HB 151, HB 158, HB 162, HB 171, HB 176.

BUSINESS AND LABOR (Kitselman, Chairman): 1/21/87
HB 166, do pass. Report adopted.
HB 170, do pass. Report adopted.
HB 177, do pass. Report adopted.
HB 194, introduced bill, be amended as follows:

1. Page 6, lines 12 through 16.
Strike: section 3 in its entirety

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 1/21/87
HB 109, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "requiring"
Insert: "permitting"

2. Page 2, line 4.
Following: "error"
Insert: "in a precinct or precincts"

3. Page 2, line 6.
Strike: "shall"
Insert: "may"
Following: "recount"
Insert: "of the votes cast in the precinct or precincts"

4. Page 7, line 14.
Strike: "shall"

Insert: "may"

And, as amended, do pass. Report adopted.

HB 181, do pass. Report adopted.

HB 215, introduced bill, be amended as follows:

1. Page 2, line 20.

Following: "(3)"

Insert: "(a)"

2. Page 2, line 21.

Strike: "(a)"

Insert: "(i)"

Renumber: subsequent subsection

3. Page 3, line 1.

Following: "(3)(a)"

Insert: "(i)"

4. Page 3.

Following: line 1

Insert: "(b) The employer shall give written notification to a substitute teacher on his first day of employment in any fiscal year of his option to elect membership under subsection (3)(a)(i)."

And, as amended, do pass. Report adopted.

HB 227, do pass. Report adopted.

Adverse Committee Reports

HB 107, do not pass.

HB 205, do not pass.

MOTIONS

Representative Hannah moved that consideration of SJR 6 on second reading be passed for the day. Motion carried.

Representative Thoft moved that HB 216 be taken from the Committee on Appropriations and rereferred to the Committee on Taxation, since it is another coal tax measure. Motion carried.

Representative Thomas moved that the rules be suspended to allow the late introduction of eight bills. Representative Quilici made a substitute motion that the motion be divided, and that each measure be explained. Motion carried.

Representative Thomas moved that the rules be suspended to allow the late introduction of a bill, L.C. No. 581, (HJR 12), calling for a constitutional convention. Motion carried. (82-15)

Representative Quilici moved that the rules be suspended to allow the late introduction of a bill, L.C. No. 1376, (HB 401), regarding the licensing of electricians. Motion carried.

Representative Miles moved that the rules be suspended to allow the late introduction of a bill, L.C. No. 716, (HB 410), having to do with voter information pamphlets. Motion carried.

Representative Miles moved that the rules be suspended to allow the late introduction of a bill, L.C. No. 717, (HB 409), regarding day care deductions. Motion carried.

Representative Iverson moved that the rules be suspended to allow the late introduction of a bill, L.C. No. 490, (HB 408) dealing with water quality. Motion carried.

Representative Grady moved that the rules be suspended to allow the late introduction of a bill, L.C. No. 884, (HB 405), which concerns the funding of rural volunteer fire departments. Motion carried.

Representative Grady moved that the rules be suspended to allow the late introduction of a bill, L.C. No. 868, (HB 406), that moves the licensing of outfitters to the Department of Commerce. Motion carried. (86-9)

Representative Grady moved that the rules be suspended to allow the late introduction of a bill, L.C. No. 1136, (HB 407), dealing with out-of-state hunters who own land in Montana. Motion carried. (77-19)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 335, introduced by Pistoria. Referred to Committee on Local Government.

HB 336, introduced by Pistoria, McCormick. Referred to Committee on Taxation.

HB 337, introduced by Pistoria, McCormick. Referred to Committee on Taxation.

HB 338, introduced by Poff, Compton, Kadas, Cody, Beck, Grady. Referred to Committee on Local Government.

HB 339, introduced by Gilbert. Referred to Committee on Fish and Game.

HB 340, introduced by Donaldson, (By Request of the Legislative Finance Committee). Referred to Committee on Education and Cultural Resources.

HB 341, introduced by Kadas. Referred to Committee on Education and Cultural Resources.

HB 342, introduced by Kadas. Referred to Committee on Education and Cultural Resources.

HB 343, introduced by Donaldson, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

HB 344, introduced by Asay, C. Smith, Jones, Poff, Poulsen, Winslow. Referred to Committee on Judiciary.

HB 345, introduced by McCormick, Driscoll, C. Smith, Pistoria, Menahan, Harp, (By Request of the Division of Workers' Compensation). Referred to Committee on Business and Labor.

HB 346, introduced by Wallin. Referred to Committee on Agriculture.

HB 347, introduced by Harper, Spaeth, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services.

HB 348, introduced by Harper, Spaeth, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Human Services.

HB 349, introduced by Hannah, Eudaily, B. Brown, Blaylock, M. Williams, Sands, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.

HB 350, introduced by Swift. Referred to Committee on Local Government.

HB 351, introduced by Swift. Referred to Committee on Judiciary.

- HB 352**, introduced by Schye. Referred to Committee on Fish and Game.
- HB 353**, introduced by Gould, D. Brown, B. Brown, J. Brown, Gilbert. Referred to Committee on Judiciary.
- HB 354**, introduced by Miles, Addy, Mercer, Ramirez. Referred to Committee on Judiciary.
- HB 355**, introduced by Hansen, Cohen, Neuman, Kadas, Fritz, Driscoll, Connelly, Menahan, Hirsch. Referred to Committee on State Administration.
- HB 356**, introduced by Harrington. Referred to Committee on Education and Cultural Resources.
- HB 357**, introduced by Bardanouve, (By Request of the Legislative Finance Committee). Referred to Committee on Appropriations.
- HB 358**, introduced by Bardanouve, (By Request of the Legislative Finance Committee). Referred to Committee on Natural Resources.
- HB 359**, introduced by Grady, Tveit, Miles, Harp, Anderson, Kolstad, Brandewie, Hoffman, Schye, Cobb, Weeding, Donaldson, Corne', Vincent, Bradley, Eck. Referred to Committee on Highways and Transportation.
- HB 360**, introduced by DeMars, Manuel, Schye, Connelly, Jenkins, Grinde, (By Request of the Department of Agriculture). Referred to Committee on Agriculture.
- HB 361**, introduced by Ramirez, Mercer. Referred to Committee on Taxation.
- HB 362**, introduced by Glaser, Pistoria, Campbell, Brandewie, Harp, Sands. Referred to Committee on Business and Labor.
- HB 363**, introduced by Hoffman, (By Request of the State Auditor). Referred to Committee on Business and Labor.
- HB 364**, introduced by Bradley, Jacobson, Cobb, Keating, Gage, Simon, Kennerly, (By Request of the Legislative Audit Committee). Referred to Committee on State Administration.
- HB 365**, introduced by Peck, Schye, Miller, Bardanouve, Donaldson, Winslow, (By Request of the Legislative Finance Committee). Referred to Committee on Education and Cultural Resources.
- HB 366**, introduced by Fritz. Referred to Committee on Taxation.
- HB 367**, introduced by Miller. Referred to Committee on Judiciary.
- HB 368**, introduced by Miller. Referred to Committee on Education and Cultural Resources.
- HB 369**, introduced by Simon, Hoffman, Hannah, Hansen, Cody, Anderson, Kolstad, Keating. Referred to Committee on Taxation.
- HB 370**, introduced by Asay, Gilbert, Poff, Abrams, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.
- HB 371**, introduced by Addy, Mercer, B. Brown, Pinsoneault. Referred to Committee on Judiciary.
- HB 372**, introduced by Miller, (By Request of the State Auditor). Referred to Committee on Business and Labor.
- HB 373**, introduced by Darko, Stang, Addy, Harrington, Connelly, C. Smith, Jones, Driscoll, Harper, Rapp-Svrcek, Vaughn. Referred to Committee on Business and Labor.
- HB 374**, introduced by Pavlovich, Stimatz, (By Request of the Department of Commerce). Referred to Committee on Business and Labor.
- HB 375**, introduced by Jenkins. Referred to Committee on Taxation.
- HB 376**, introduced by Jenkins, Kolstad, Iverson, Aklestad. Referred to Committee on Highways and Transportation.
- HB 377**, introduced by Ramirez, Fritz, Crippen, Hirsch. Referred to Committee on Taxation.

- HB 378**, introduced by Cobb. Referred to Committee on Fish and Game.
- HB 379**, introduced by Asay, Rapp-Svrcek, Cobb, Bengtson, Kolstad, Hofman, Galt, E. Smith, Abrams, Boylan, Iverson, Grady. Referred to Committee on Fish and Game.
- HB 380**, introduced by D. Brown, Eck, Jergeson, Strizich, Pavlovich. Referred to Committee on Local Government.
- HB 381**, introduced by Grady, Manning, Cody, Miller, Rasmussen. Referred to Committee on Business and Labor.
- HB 382**, introduced by Connelly, Mercer, Peterson, Miller, Nelson, Ream, Peck, Hayne, Lory, Kadas, Moore, McCormick, J. Brown, Pistoria, Bachini, Brandewie, Spaeth, O'Connell, Harp, Iverson, Eudaily, Harrington, Swift, Manning, C. Smith, Manuel, Keenan, D. Brown, Koehnke, Fritz, Vincent, Mazurek, Harper, Corne', Grinde, McCallum, Rapp-Svrcek, Jones, Holliday, Quilici, Driscoll, Nisbet, Schye, Darko, Cohen, Miles, DeMars, Poulsen, Bulger, Harding, Hager, B. Brown, Ramirez, Marks, Severson, Hirsch, Meyer, Jenkins, Menahan, Hannah, Addy. Referred to Committee on Appropriations.
- HB 383**, introduced by Rapp-Svrcek, Campbell, Cobb, Stang, Kadas, Nathe, Severson, Koehnke, Halligan. Referred to Committee on Taxation.
- HB 384**, introduced by Rapp-Svrcek, Campbell, Cobb, Stang, Kadas, Nathe, Severson, Koehnke, Halligan. Referred to Committee on Taxation.
- HB 385**, introduced by Kadas, Nisbet, Phillips, Patterson. Referred to Committee on Highways and Transportation.
- HB 386**, introduced by Cody, Darko, Vaughn, (By Request of the Board of Chiropractors). Referred to Committee on Business and Labor.
- HB 387**, introduced by Keenan, Eck. Referred to Committee on Taxation.
- HB 388**, introduced by Asay, Iverson, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.
- HB 389**, introduced by Brandewie, Hannah, Hansen, (By Request of the Board of Realty Regulation). Referred to Committee on Business and Labor.
- HB 390**, introduced by Spaeth. Referred to Committee on Education and Cultural Resources.
- HB 391**, introduced by Thoft, (By Request of the Montana Historical Society). Referred to Committee on Appropriations.
- HB 392**, introduced by Menahan, Keenan, Lynch, Moore, Pavlovich, Phillips, Manning, Squires, Daily, Ellison, O'Connell, Peck, Miller, Jenkins, Harper, Harrington, Connelly, Miles, B. Williams, Driscoll, Swift, Quilici. Referred to Committee on Appropriations.
- HJR 8**, introduced by Fritz, Raney, Spaeth, Koehnke, Harp. Referred to Committee on Business and Labor.
- HJR 9**, introduced by Cohen, Yellowtail, Keenan, Raney, Darko, Poff, Rapp-Svrcek, Miles, Stang, DeMars, Fritz, Peck, Spaeth, Schye, Hansen, Pistoria, Harper, Squires, Kennerly, Russell, Vincent, Driscoll, Kadas, Bradley, Bachini, M. Williams, Bardanouve, Harrington, Whalen, Moore, Connelly, Koehnke, Corne', Menahan, Cody, Ream. Referred to Committee on State Administration.
- HJR 10**, introduced by Sands, Cody, Poff, Stang, Peck, Hannah, Rehberg, Moore, Harp, Brandewie, Stratford, Swysgood, Kitselman, Hayne, Thomas, Hirsch, Glaser, Poulsen, Marks, Boylan. Referred to Committee on State Administration.

HJR 11, introduced by Miller. Referred to Committee on Education and Cultural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 19 - Representative Mercer moved that HB 19, second reading copy, be amended as follows:

1. Page 8, line 17.

Strike: "right" through "to" on line 19

Insert: "surviving spouse's rights to an elective share,"

2. Page 8, line 20.

Following: "property;"

Insert: " , "

Following: "allowance"

Insert: " , "

Following: "them"

Insert: " , "

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 99

Noes: None.

Total 0

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

Representative Mercer moved that HB 19, as amended, do pass.
Representative Eudaily made a substitute motion that HB 19 be further amended as follows:

1. Page 2.

Following: line 20

Strike: "\$6,000"

Insert: "\$4,500"

2. Page 3.

Following: line 1

Strike: "\$3,500"

Insert: "\$1,200"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Cody, Compton, Corne', Daily, DeMars, Devlin, Ellison, Eudaily, Giacometto, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Hayne, Hoffman, Iverson, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Miller, Moore, Nathe, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams.

Total 61

Noes: Addy, Bradley, D. Brown, Bulger, Cobb, Cohen, Connelly, Darko, Driscoll, Fritz, Gilbert, Hannah, Hansen, Holliday, Jenkins, Kennerly, Menahan, Mercer, Nelson, Nisbet, O'Connell, Patterson, Raney, Rapp-Svrcek, Russell, Schye, Spaeth, Squires, Stratford, Strizich, Swift, Vincent, Whalen, Winslow.

Total 34

Excused: Donaldson.

Total 1

Absent or not voting: Harrington, Jones, Pistoria, Mr. Speaker.

Total 4

Representative Mercer moved that HB 19 be further amended as follows:

1. Title, line 11.

Strike: "THROUGH 25-13-613"

Insert: ", 25-13-612"

2. Page 23, line 17.

Strike: "through 25-13-613"

Insert: ", 25-13-612"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Hannah.

Total 1

Excused: Donaldson.

Total 1

Absent or not voting: Bulger, Strizich.

Total 2

HB 19, as amended, passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 88

Noes: D. Brown, Cobb, Cohen, Driscoll, Giacometto, Hannah, Hansen, Meyers, Sales, Switzer, Whalen.

Total 11

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 139 - Representative Koehnke moved that HB 139 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 204 - Representative Fritz moved that HB 204 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson,

Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cobb, Hannah, Hoffman, Jones.

Total 4

Excused: Donaldson.

Total 1

Absent or not voting: J. Brown.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (96-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 31 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Campbell, Compton, Connelly, Daily, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 74

Noes: Bardanouve, D. Brown, Bulger, Cobb, Cody, Cohen, Corne', Darko, Hansen, Keenan, Menahan, Miles, Miller, Moore, Nathe, Phillips, Poff, Raney, Sales, Schye, Squires, Switzer, Whalen.

Total 23

Excused: Donaldson.

Total 1

Absent or not voting: Manuel, Mr. Speaker.

Total 2

HB 59 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Bachini, D. Brown, Campbell, Cody, Darko, DeMars, Driscoll, Fritz, Grady, Hannah, Hansen, Harper, Iverson, Kadas, Mercer, Nisbet, Ramirez, Raney, Rapp-Svrcek, Stang, Strizich, Swysgood, Thoft.

Total 23

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 68 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cody, Compton, Connelly, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swysgood, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 69

Noes: Addy, D. Brown, Bulger, Cobb, Cohen, Corne', Daily, Darko, Devlin, Driscoll, Fritz, Hansen, Keenan, Kennerly, Menahan, Miles, Miller, Nathe, Pavlovich, Phillips, Poff, Raney, Sales, Schye, Squires, Swift, Switzer, Thoft, Vincent, Whalen.

Total 30

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 82 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: D. Brown, Cobb, Peck.

Total 3

Excused: Donaldson.

Total 1

Absent or not voting: Eudaily.

Total 1

HB 134 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Wallin.

Total 1

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 151 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Giacometto, Peterson.

Total 2

Excused: Donaldson.

Total 1

Absent or not voting: Hoffman.

Total 1

HB 158 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Driscoll, Whalen.

Total 2

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 162 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 171 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 176 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Donaldson.
Total 1

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman): 1/21/87

HB 220, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 220

This bill requires a statement of intent because 80-5-101 and 80-5-105, as amended, require the department of agriculture to adopt rules defining noxious weed seeds.

It is the intent of the legislature that the department establish rules for prohibited or restricted noxious weed seeds for the purpose of implementing Title 80, chapter 7, part 8, and Title 7, chapter 22, part 21. The legislature intends that the listed noxious weed seeds be classified into two categories, prohibited noxious weed seeds and restricted noxious weed seeds. The characteristics of the two categories are as follows:

(1) "Prohibited noxious weed seeds" means seeds of annual and perennial plants that not only reproduce by seed but also may spread by underground roots, stems, and other reproductive parts and which, when well established, are highly destructive and difficult to control in this state by ordinary good cultural practice.

(2) "Restricted noxious weed seeds" are seeds of weeds that are very objectionable in fields, lawns, and gardens of this state that can be controlled by good cultural practices.

The legislature intends that the listed noxious weed seeds need not be identical to the noxious weeds listed by rules adopted under the above mentioned statutes. The Montana department of agriculture shall determine which noxious weed seeds must be prohibited and which noxious weed seeds should be restricted and at what levels.

APPROPRIATIONS (Winslow, Vice-Chairman): 1/21/87
HB 233, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman): 1/21/87

HB 117, introduced bill, be amended as follows:

1. Page 2, lines 1 and 2.

Strike: line 1 through "shall" on line 2

2. Page 2, lines 14 through 20.

Strike: line 14 through "(3)" on line 20

Insert: "(2) The resolution may not become effective for 14 days after the notice required in subsection (3) is made.

(3) The trustees shall cause notices of the resolution to be published in a newspaper of general circulation in the district. If there is no newspaper of general circulation, the trustees shall cause notices of the resolution to be posted in the manner required for school elections in 20-20-204.

(4)"

3. Page 2, line 21.

Strike: "within 10 days after"

Insert: "prior to"

4. Page 3, line 9.

Strike: "(4)"

Insert: "(5)"

And, as amended, do pass. Report adopted.

HB 175, do pass. Report adopted.

Adverse Committee Reports

HB 174, as amended, do not pass.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 1/20/87

HB 92, do pass. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman): 1/21/87

HB 99, introduced bill, be amended as follows:

1. Page 2, line 19.

Following: "due."

Insert: "Bonds may not be issued pledging proceeds of the resort tax for repayment unless the municipality in the resolution authorizing issuance of the bonds determines that in any fiscal year the annual revenues expected to be derived from the resort tax, less the amount required to reduce property taxes pursuant to 7-6-4467, equals at least 125% of the average amount of the principal and interest payable from the resort tax revenues on the bonds, and any other outstanding bonds payable from the resort tax except any bonds to be refunded upon the issuance of the proposed bonds."

And, as amended, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 22, 1987.

Motion carried.

House adjourned at 5:05 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SIXTEENTH LEGISLATIVE DAY

Helena, Montana
January 22, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Pastor Cornelius Pool. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fifteenth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/22/87
Correctly printed: HB 92, HB 99, HB 109, HB 117, HB 166, HB 170, HB 175, HB 177, HB 181, HB 194, HB 215, HB 220, HB 227, HB 233.
Correctly engrossed: HB 19, HB 139, HB 204.

BUSINESS AND LABOR (Kitselman, Chairman): 1/22/87
HB 80, introduced bill, be amended as follows:

1. Page 1, lines 4 and 5.
Following: "THAT" on line 4
Strike: remainder of line 4 and line 5 through "AS"

2. Page 1, line 6.
Following: "OR"
Strike: "PART-TIME"
Insert: "FREE-LANCE"

3. Page 2, lines 10 and 11.
Following: "contracting" on line 10
Strike: remainder of line 10 and line 11 through "or"

4. Page 3, line 4.
Following: "district"
Strike: ","
Insert: ";

5. Page 3.
Following: line 4
Insert: "(i) any person performing services as a newspaper carrier or free-lance correspondent if the person performing the services or a parent or guardian of the person performing the services in the case of a minor has acknowledged in writing that the person performing the services and the services are not covered. As used in this subsection "free-lance correspondent" is a person who submits articles or photographs for publication and is paid by the article or by the photograph. As used in this subsection "newspaper carrier":

(i) is a person who provides a newspaper with the service of delivering newspapers singly or in bundles, but

(ii) does not include an employee of the paper who incidentally to his main duties, carries or delivers papers."

6. Page 3, lines 7, 8, and 9.

Following: "contracting" on line 7

Strike: remainder of line 7, line 8 in its entirety, and line 9 through
"or"

And, as amended, do pass. Report adopted.

HB 206, do pass. Report adopted.

Adverse Committee Reports

HB 199, do not pass.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

1/21/87

Adverse Committee Reports

HB 174, as amended, do not pass. Chairman Sands moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Sales, Schye, Simon, Spaeth, Squires, Stang, Stratford, Swift, Swysgood, Thoft, Thomas, Vincent, Williams, Mr. Speaker.

Total 79

Noes: Cody, Corne', Giacometto, Gould, Jones, Mercer, Nelson, Nisbet, Peterson, Rapp-Svrcek, Roth, Sands, Smith, Switzer, Wallin, Whalen.

Total 16

Excused: None.

Total 0

Absent or not voting: D. Brown, Cohen, Kadas, Strizich, Winslow.

Total 5

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Hayne, Chairman):

1/27/87

Report on these staff changes:

Termination of Jean Stephenson, Local Government Committee secretary, as of 1-24-87.

Change in status for Vonnie Evans from steno pool to Local Government Committee secretary as of 1-20-87.

Change in status for Al Abramson from Legislative Assistant to Assistant Chief Clerk as of 1-22-87.

STATE ADMINISTRATION (Sales, Chairman):

1/22/87

HB 224, do pass. Report adopted.

Adverse Committee Reports

HB 107, do not pass. Representative Winslow moved that HB 107 be rereferred to the Committee on State Administration. Motion carried as follows:

Ayes: Asay, Bradley, Brandewie, J. Brown, Campbell, Cobb, Compton, Corne', Daily, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert,

Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Iverson, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Moore, Nathe, Patterson, Pavlovich, Peterson, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 57

Noes: Addy, Bachini, Bardanouve, Bulger, Cody, Connelly, Darko, DeMars, Driscoll, Fritz, Hansen, Harrington, Hoffman, Holliday, Jenkins, Keenan, Kennerly, McCormick, Miles, Nelson, Nisbet, O'Connell, Peck, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Swift, Vincent, Whalen, Williams.

Total 40

Excused: None.

Total 0

Absent or not voting: D. Brown, Cohen, Menahan.

Total 3

HB 205, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Meyers, Miles, Miller, Moore, Nathe, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Cody, Cohen, Connelly, Darko, Driscoll, Kadas, Menke, Mercer, Nelson, Nisbet, Roth, Schye, Thoft, Whalen.

Total 14

Excused: None.

Total 0

Absent or not voting: D. Brown, Menahan, Strizich.

Total 3

MOTIONS

Representative Hannah moved that consideration of SJR 6 on second reading be passed for the day. Motion carried.

Representative Winslow moved that the rules be suspended to allow the late drafting of a bill that would prohibit the Legislature from deficit spending. Motion carried.

Representative Addy moved that the rules be suspended to allow the late drafting of a bill dealing with the financing of roads built in special improvement districts. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 393, introduced by Lory, (By Request of the Department of Labor and Industry). Referred to Committee on Judiciary.

HB 394, introduced by Menahan, Ream, M. Williams, Quilici, Daily, Keenan, Driscoll. Referred to Committee on Fish and Game.

HB 395, introduced by Brandewie, Ramirez, Harp, Keating, Glaser, Harding, Hofman, Anderson, Simon, Swift, Kitselman, Mercer, Hannah. Referred to Committee on Taxation.

HB 396, introduced by Pavlovich, Daily, Harrington, Bachini, O'Connell, D. Brown, Quilici. Referred to Committee on Highways and Transportation.

HB 397, introduced by Spaeth, Jacobson, Crippen, Thomas. Referred to Committee on Natural Resources.

HB 398, introduced by Daily, Pavlovich. Referred to Committee on Rules.

HB 399, introduced by Manuel. Referred to Committee on Judiciary.

HB 400, introduced by Manuel. Referred to Committee on Judiciary.

HB 401, introduced by Quilici, Jacobson, Halligan, Driscoll, (By Request of the State Electrical Board). Referred to Committee on Business and Labor.

HB 402, introduced by Strizich. Referred to Committee on Human Services.

HB 403, introduced by Cohen. Referred to Committee on Local Government.

HB 404, introduced by Harp, Poff, Manuel, B. Williams, Gage, Brandewie. Referred to Committee on Natural Resources.

HB 405, introduced by Grady, Glaser, Brandewie, Spaeth, Campbell. Referred to Committee on Local Government.

HB 406, introduced by Grady, Brandewie, Menahan, Hanson. Referred to Committee on Fish and Game.

HB 407, introduced by Grady, Holliday, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Fish and Game.

HB 408, introduced by Iverson, Galt, Marks, Eck, (By Request of the Water Policy Committee). Referred to Committee on Natural Resources.

HB 409, introduced by Miles. Referred to Committee on Taxation.

HB 410, introduced by Miles. Referred to Committee on State Administration.

HB 411, introduced by Harp, Meyer, Manuel, Lynch, Driscoll. Referred to Committee on Business and Labor.

HJR 12, introduced by Thomas, C. Smith, Jones, Sales, Meyers. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 58 - Representative Keenan moved that HB 58 do pass. Representative Ramirez made a substitute motion to pass consideration of HB 58 for the day, for the purpose of an amendment. Motion carried.

Representative Harrington excused at this time.

HB 116 - Representative J. Brown moved that HB 116 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Harrington.

Total 1

Absent or not voting: O'Connell.

Total 1

HB 121 - Representative Kadas moved that HB 121, second reading copy, be amended. Amendment failed. (39-56)

Representative Kadas moved that HB 121 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Giacometto, Smith.

Total 2

Excused: Harrington.

Total 1

Absent or not voting: None.

Total 0

HB 190 - Representative Nelson moved that HB 190 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones,

Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Kadas, Peck.

Total 2

Excused: Harrington.

Total 1

Absent or not voting: D. Brown, Switzer.

Total 2

HB 203 - Representative Spaeth moved that HB 203, second reading copy, be amended as follows:

1. Page 2, line 14.

Following: "destroyed"

Insert: "as a result of a disaster or other major occurrence"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Campbell, Cohen, Driscoll, Fritz, Whalen.

Total 5

Excused: Harrington.

Total 1

Absent or not voting: D. Brown, Switzer.

Total 2

Representative Spaeth moved that HB 203, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang,

Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Hannah.

Total 1

Excused: Harrington.

Total 1

Absent or not voting: None.

Total 0

HB 226 - Representative Spaeth moved that HB 226 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Harrington.

Total 1

Absent or not voting: Simon, Switzer.

Total 2

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (94-1)

Representatives Harp and Menahan excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 19 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift,

Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow,
Mr. Speaker.

Total 92

Noes: D. Brown, Giacometto, Hannah.

Total 3

Excused: Harp, Harrington, Menahan.

Total 3

Absent or not voting: Hansen, Switzer.

Total 2

HB 139 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Hannah.

Total 1

Excused: Harp, Harrington, Menahan.

Total 3

Absent or not voting: Hoffman.

Total 1

HB 204 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Addy, Cobb, Driscoll, Hannah, Jones.

Total 5

Excused: Harp, Harrington, Menahan.

Total 3

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES**HUMAN SERVICES AND AGING** (Gould, Chairman):

1/22/87

HB 126, introduced bill, be amended as follows:

1. Page 2, line 17.

Following: "provided"

Insert: " — subject to available funding"

2. Page 2, line 22.

Strike: "guarantees"

Insert: "provides"

Following: "services"

Insert: "subject to available funding"

And, as amended, do pass. Report adopted.

Adverse Committee Reports**HB 36**, as amended, do not pass.**HB 90**, do not pass.**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 23, 1987.

Motion carried.

House adjourned at 4:47 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SEVENTEENTH LEGISLATIVE DAY

Helena, Montana
January 23, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Representative J. Brown. Pledge of Allegiance to the Flag.

Roll call. All members present except Pavlovich, Cody, and Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixteenth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/23/87

Correctly printed: HB 80, HB 126, HB 206, HB 224, HJR 6.

Correctly engrossed: HB 116, HB 121, HB 190, HB 203, HB 226.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman): 1/23/87

HB 184, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 184

A statement of intent is required for this bill because section 1 requires the department of agriculture to adopt rules establishing fees for the inspection and certification of apples.

In adopting rules under section 1, the department should set fees in an amount sufficient to reimburse the department for the costs of providing services under 80-3-201. It is the intent of the legislature that the costs of such services should be recovered by fees in order to allow the activities of the department to be primarily self-supporting. However, such fees may be less than the actual costs of services if, in the determination of the department, the fees charged would be harmful to the industry.

HB 331, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman): 1/23/87

HB 165, introduced bill, be amended as follows:

1. Title, line 4.

Following: "ACT"

Strike: "INCLUDING,"

Insert: "PROVIDING THAT"

2. Title.

Following: line 4

Strike: line 5 in its entirety and line 6 through "LIABILITY"

Insert: "IS NOT LIABLE"

3. Title, line 7.

Following: "A"

Strike: "UTILIZATION,"

Following: "REVIEW"

Strike: remainder of line 7

4. Title, line 8.

Following: "COMMITTEE;"

Strike: "AMENDING SECTION 37-2-201, MCA;"

5. Page 1, line 12, through page 2, line 21.

Strike: section 1 in its entirety

Insert: "Section 1. Nonliability for peer review. No member, employee, or volunteer intervenor of the Montana pharmaceutical association in its peer review program is liable in damages to any person for any action taken or recommendation made within the scope of the program if the member, employee, or volunteer acts in good faith in accordance with the rules of the association.

Section 2. Codification instruction. Section 1 is intended to be codified as an integral part of Title 37, chapter 7, and the provisions of Title 37, chapter 7, apply to section 1."

Renumber: subsequent sections

6. Page 2.

Following: line 21

Strike: "NEW SECTION."

And, as amended, do pass. Report adopted.

HB 180, do pass. Report adopted.

HB 189, do pass. Report adopted.

Representative Moore present at this time.

Adverse Committee Reports

HB 191, do not pass.

HB 199, do not pass. Chairman Kitselman moved to adopt the committee report. Motion carried as follows: 1/22/87

Ayes: Asay, Bradley, Brandewie, J. Brown, Cohen, Compton, Corne', Devlin, Donaldson, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Hayne, Holliday, Iverson, Jones, Keller, Kitselman, Koehnke, Lory, Menke, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow.

Total 54

Noes: Addy, Bachini, D. Brown, Bulger, Campbell, Cobb, Connelly, Daily, Darko, DeMars, Driscoll, Fritz, Giacometto, Hannah, Harp, Harper, Harrington, Hoffman, Jenkins, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Mercer, Miles, Moore, Nisbet, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Stang, Strizich, Vincent, Whalen, Mr. Speaker.

Total 43

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: Bardanouve.

Total 1

FISH AND GAME (Ellison, Chairman):

1/22/87

HB 131, do pass. Report adopted.

HB 211, introduced bill, be amended as follows:

1. Page 2, line 1.

Following: "animal"

Strike: "or to prevent the individual's enjoyment of the outdoors"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman):

1/22/87

Adverse Committee Reports

HB 36, as amended, do not pass. Chairman Gould moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Bachini, Brandewie, J. Brown, Bulger, Campbell, Compton, Connelly, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 76

Noes: Addy, Bradley, D. Brown, Cobb, Corne', Daily, Darko, Driscoll, Fritz, Harper, O'Connell, Peck, Roth, Russell, Vincent, Whalen, Williams, Winslow.

Total 18

Excused: Cody, Moore, Pavlovich.

Total 3

Absent or not voting: Bardanouve, Cohen, Sands.

Total 3

HB 90, do not pass. Chairman Gould moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Addy, Daily, Driscoll, Harper, Harrington, O'Connell, Spaeth, Vincent, Whalen.

Total 9

Excused: Cody, Moore, Pavlovich.

Total 3

Absent or not voting: Bardanouve, Fritz.

Total 2

JUDICIARY (Lory, Chairman):

1/22/87

HB 73, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "CLARIFY THAT"

Insert: "REVISE THE MANNER IN WHICH"

2. Title, line 6.

Strike: "THE" through "PENALTIES" on line 8

3. Page 1, line 13.

Strike: "Penalty for"

Insert: "Offenses committed by"

4. Page 1, line 14.

Strike: "Notwithstanding" through "must" on line 16

Insert: "A person under 18 years of age who commits an offense under this title must be tried as an adult and if convicted shall not be punished by incarceration, but shall"

5. Page 1, line 17.

Strike: ", not exceeding \$50"

Insert: "not less than and not to exceed the fine that could be imposed on him if he were an adult"

6. Page 1, line 19.

Strike: "or"

Insert: "(2) revocation of his driver's license by the court or suspension of the license for a period set by the court,"

7. Page 1, line 20.

Strike: "(2)"

Insert: "(3)"

Strike: "the probation officer"

Insert: "a law enforcement officer designated by the court"

8. Page 1, line 22.

Strike: ", however," through "impounded" on line 24

Insert: "if the court finds either that he owns the vehicle or is the only person who uses the vehicle"

9. Page 1, line 25.

Strike: "(3)"

Insert: "(4)"

Strike: "both"

Insert: "any combination of"

Strike: "and (2)"

Insert: "through (3)"

And, as amended, do pass. Report adopted.

HB 79, introduced bill, be amended as follows:

1/23/87

1. Page 1, line 17.

Strike: "an employer, group, or organization"

Insert: "their employment"

And, as amended, do pass. Report adopted.

HB 197, introduced bill, be amended as follows:

1/22/87

1. Page 1, line 20.

Following: "fine"

Insert: "of not less than \$250 and"

Strike: "\$1,000"

Insert: "\$500"

2. Page 2, line 21.

Strike: "6" through "months" on line 22

Insert: "30 days"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 72, do not pass.

LOCAL GOVERNMENT (Wallin, Chairman):

1/23/87

HB 159, do pass. Report adopted.

NATURAL RESOURCES (Jones, Chairman):

1/21/87

HJR 6, introduced bill, be amended as follows:

1. Page 4, line 3.

Following: "VIII"

Insert: ", and the Montana Congressional Delegation"

And, as amended, do pass. Report adopted.

RULES (Hannah, Chairman):

1/22/87

Adverse Committee Reports

HB 149, do not pass.

STATE ADMINISTRATION (Sales, Chairman):

1/22/87

HB 201, introduced bill, be amended as follows:

1. Page 4, line 2.

Following: "5;"

Insert: "and"

2. Page 4, lines 3 through 6.

Strike: subsections (h) and (i) in their entirety

Renumber: subsequent subsection

3. Page 6.

Following: line 16

Insert: "(b) treating the mentally ill, aged, and youths under Title 53, chapter 21;

(c) acting as administrator of the Interstate Compact on Mental Health under Title 53, chapter 22;"

Renumber: subsequent subsections

4. Page 16, line 23.

Following: ","

Insert: "the department of health and environmental sciences;"

5. Page 18, line 8.

Following: "."

Insert: "If the resident is transferred to an institution in the department of health and environmental sciences, the department of health and environmental sciences shall draw from the federal government any moneys available for the maintenance of such resident."

6. Page 34, lines 11 and 12.

Strike: "social" on line 11 through "services" on line 12

Insert: "health and environmental sciences"

7. Page 59, line 12.

Following: ","

Insert: "and"

8. Page 59, lines 17 through 19.

Strike: "and" on line 17 through "," on line 19

9. Page 60, line 7.

Following: "including"

Insert: "mental health transitional living facilities and"

10. Page 63, line 6.

Strike: "or mentally"

11. Page 63, line 22.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

12. Page 64.

Following: line 14

Insert: "(3) The Montana state hospital is in the department of health and environmental sciences."

Renumber: subsequent subsections

13. Page 64, line 22.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

14. Page 65.

Following: line 13

Insert: "(3) The Montana state hospital is in the department of health and environmental sciences."

Renumber: subsequent subsection

15. Page 72.

Following: line 22

Insert: "health and environmental sciences or"

16. Page 72, line 24.

Strike: "part"

Insert: "parts 21 and"

17. Page 74, lines 13 and 14.

Strike: "social" on line 13 through "services" on line 14

Insert: "health and environmental sciences"

18. Page 76, line 18.

Strike: "22"

Insert: "21"

19. Page 79, line 24.

Strike: "22"

Insert: "21"

20. On the following pages and lines:

Following: "justice"

Insert: ", health and environmental sciences,"

Page 12, line 2

Page 14, line 2

Page 18, line 15

Page 19, line 18

Page 21, lines 4 and 7

Page 22, line 24

Page 40, line 11

Page 49, line 6

Page 56, line 11

Page 61, line 9

Page 65, line 19

Page 68, line 4

Page 69, line 5

Page 71, line 24

21. On the following pages and lines:

Strike: "social" through "services"

Insert: "health and environmental sciences"

Page 7, line 22

Page 33, line 18

Page 34, line 21

Page 74, line 25

Page 76, line 17

Page 79, line 23

And, as amended, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

1/23/87

HB 152, introduced bill, be amended as follows:

1. Page 2, line 10.

Following: "farms or"

Insert: "for"

2. Page 2, line 11.

Following: "purposes"

Strike: "hatcheries"

Insert: "hatchery purposes"

And, as amended, do pass. Report adopted.

MOTIONS

Representative Addy moved that HB 240 be taken from the Committee on Business and Labor and rereferred to the Committee on Judiciary. Motion carried. (53-47)

Representative Compton moved that HB 220 be taken from second reading and rereferred to the Committee on Agriculture for the purpose of an amendment. Motion carried.

Representative Hannah moved that consideration of SJR 6 on second reading be passed for the day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 412, introduced by Hannah. Referred to Committee on Taxation.

HB 413, introduced by Brandewie, Mercer, Ramirez, Connelly, Peck, Sands, Bachini, J. Brown, Grady. Referred to Committee on Judiciary.

HB 414, introduced by Miller, (By Request of the State Auditor). Referred to Committee on Business and Labor.

HB 415, introduced by Fritz, Compton, Harper, Moore, Russell, Walker, Cohen, Connelly, Miller, O'Connell, Stratford, Nelson, B. Brown, Boylan, Keenan, Poff, Kadas, Schye, Hansen, Darko, Daily, Driscoll, Grady, Pavlovich, Patterson. Referred to Committee on Business and Labor.

HB 416, introduced by Donaldson, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Natural Resources.

HB 417, introduced by J. Brown, Grady, Vincent, Lory, D. Brown, Meyer, Gould, Schye, Eudaily, Mazurek, Quilici, Haffey. Referred to Committee on Business and Labor.

HB 418, introduced by Bachini, Walker, Fritz, M. Williams, Bradley, Corne', Connelly, O'Connell, Addy, Wallin, Spaeth, Hansen, Peck, Keenan, Kitselman, Pistoria, Boylan, Jenkins, Manning, Darko, Hannah, Jones, Ream, McCormick, Pavlovich, Miller, Vincent, Winslow, Patterson, Phillips, Jergeson, Nisbet, Poff, Keller, Haffey, Driscoll, Hayne, Hager, Raney, Bulger, Poulsen, Strizich, Bishop, Koehnke, Ramirez, Lory. Referred to Committee on State Administration.

HB 419, introduced by Spaeth. Referred to Committee on Judiciary.

HB 420, introduced by Whalen, Blaylock, Driscoll, Meyer, Regan, Van Valkenburg, Vincent, Bishop, Cohen, Harrington, Bradley. Referred to Committee on Business and Labor.

HB 421, introduced by Sales. Referred to Committee on Human Services.

HB 422, introduced by J. Moore, Ream, Connelly, Hansen, Squires, Fritz, Whalen, Campbell, Brandewie, Stratford, Keenan, Lory, O'Connell, Pistoria, Eudaily, Poulsen, Russell, Koehnke, Cohen, Darko, Bradley. Referred to Committee on Local Government.

HB 423, introduced by J. Moore, Ream, Corne', Hansen, Stratford, Stang, Keenan, Russell, Pistoria, Darko, Bradley. Referred to Committee on Highways and Transportation.

HB 424, introduced by J. Moore, Ream, Connelly, Squires, Fritz, Brandewie, Stratford, Phillips, Roth, Lory, Keenan, O'Connell, Pistoria, Darko, Hansen, Eudaily, Poulsen, Cohen, Russell, Koehnke. Referred to Committee on Fish and Game.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative D. Brown in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 58 - Representative Keenan moved that HB 58, second reading copy, be amended as follows:

1. Title.

Following: line 4

Insert: "LICENSED CLINICAL"

2. Page 1.

Following: line 16

Insert: "licensed clinical"

3. Page 1, line 19.

Following: "or"

Insert: "licensed clinical"

4. Page 2, line 2.

Following: "or"

Insert: "licensed clinical"

5. Page 2, line 15.

Following: "psychiatrist,"

Insert: "licensed clinical"

6. Page 2, line 24.

Following: "or"

Insert: "licensed clinical"

7. Page 3, line 3.

Following: "or"

Insert: "licensed clinical"

8. Page 3, line 6.

Following: "psychiatrist,"

Insert: "licensed clinical"

9. Page 3, line 12.

Following: "psychiatrist,"

Insert: "licensed clinical"

10. Page 4, line 11.

Following: "or"

Insert: "licensed clinical"

11. Page 6, line 7.

Following: "or"

Insert: "licensed clinical"

12. Page 6, line 19.

Following: "or"

Insert: "licensed clinical"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: Harper, Ramirez, Rehberg.

Total 3

Representative Keenan moved that HB 58, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles,

Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: None.

Total 0

HB 92 - Representative Gilbert moved that HB 92 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 94

Noes: Switzer, Mr. Speaker.

Total 2

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: D. Brown, Peterson.

Total 2

HB 99 - Representative Sales moved that HB 99 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Pistoria.

Total 1

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: D. Brown, Ellison, Grinde.

Total 3

HB 109 - Representative Swysgood moved that HB 109 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Daily, Darko, Devlin, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Bulger, Corne', DeMars, Donaldson, Driscoll, Giacometto, Keenan, Miles, Schye, Strizich.

Total 10

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: D. Brown.

Total 1

HB 117 - Representative Hanson moved that HB 117 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: D. Brown, Connelly, Ream.

Total 3

HB 166 - Representative Jones moved that HB 166 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert,

Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: DeMars, Driscoll, Hansen, Nisbet, Squires, Whalen.

Total 6

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: Raney.

Total 1

HB 170 - Representative Jones moved that HB 170 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Cohen, Driscoll, Hansen, Nisbet, Peck, Squires, Stang, Strizich, Whalen.

Total 9

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: Fritz.

Total 1

HB 175 - Representative Peterson moved that HB 175 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Gould, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Campbell, Eudaily, Glaser, Hansen, Peck, Phillips, Sales, Swysgood.

Total 8

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: Grady.

Total 1

HB 177 - Representative Jones moved that HB 177 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: None.

Total 0

HB 181 - Representative Nelson moved that HB 181 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: None.

Total 0

HB 194 - Representative Miles moved that HB 194 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: Bardanouve, Spaeth.

Total 2

HB 215 - Representative Corne' moved that HB 215 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Hoffman, Keller, Nathe, Swift.

Total 4

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: Giacometto.

Total 1

HB 227 - Representative Nelson moved that HB 227 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth,

Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: None.

Total 0

HB 233 - Representative Bardanouve moved that HB 233 do pass. After discussion, Representative O'Connell moved that consideration of HB 233, be passed for the day. Motion failed. (38-58)

HB 233 passed as follows:

Ayes: Asay, Bardanouve, Brandewie, Compton, DeMars, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Koehnke, Lory, Manuel, Menke, Meyers, Miller, Moore, Nathe, Nelson, Patterson, Peterson, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 54

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Eudaily, Fritz, Glaser, Grady, Hansen, Harper, Harrington, Keenan, Kennerly, Kitselman, McCormick, Menahan, Mercer, Miles, Nisbet, O'Connell, Peck, Phillips, Pistoria, Quilici, Raney, Ream, Russell, Schye, Squires, Stang, Stratford, Strizich, Vincent, Whalen.

Total 44

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman D. Brown moved the adoption of the committee report. Representative O'Connell made a substitute motion that HB 233 be segregated from the committee of the whole report and the report, as amended, be adopted. Motion failed. (48-49) Report adopted. (59-39)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 116 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson,

Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: Connelly, Devlin.

Total 2

HB 121 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: Devlin.

Total 1

HB 190 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Addy, Driscoll, Kadas, Peck, Whalen.

Total 5

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: Devlin.

Total 1

HB 226 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Cody, Pavlovich.

Total 2

Absent or not voting: Devlin.

Total 1

MOTIONS

Representative Menahan moved that D. Brown, Moore, Stang, Harrington, and Jacobson be added as sponsors to HB 394. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 9:00 a.m., January 24, 1987.

Motion carried.

House adjourned at 6:17 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

EIGHTEENTH LEGISLATIVE DAY

Helena, Montana
January 24, 1987

House Chambers
State Capitol

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Stratford. Pledge of Allegiance to the Flag.

Roll call. All members present except Connelly, Cody, Driscoll, Pavlovich, Fritz, and Ream, excused. Quorum present.

Representative Spaeth excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

1/24/87

Correctly printed: HB 73, HB 79, HB 131, HB 152, HB 159, HB 165, HB 180, HB 184, HB 189, HB 197, HB 201, HB 211, HB 331.

Correctly engrossed: HB 58, HB 92, HB 99, HB 109, HB 117, HB 166, HB 170, HB 175, HB 177, HB 181, HB 194, HB 215, HB 227, HB 233.

BUSINESS AND LABOR (Kitselman, Chairman):

1/23/87

Adverse Committee Reports

HB 191, do not pass. Chairman Kitselman moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, Bulger, Campbell, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 74

Noes: Bachini, D. Brown, J. Brown, Cobb, Daily, Harrington, Jenkins, Keenan, McCormick, Menahan, Nelson, Nisbet, O'Connell, Pistoria, Quilici, Schye, Squires, Strizich, Whalen.

Total 19

Excused: Cody, Connelly, Driscoll, Fritz, Pavlovich, Ream, Spaeth.

Total 7

Absent or not voting: None.

Total 0

JUDICIARY (Lory, Chairman):

1/23/87

Adverse Committee Reports

HB 72, do not pass. Chairman Lory moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller,

Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sands, Schye, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 71

Noes: Addy, Bradley, Cohen, Corne', Giacometto, Harp, Harrington, Kadas, Keenan, Meyers, Miles, Nisbet, Peck, Pistoria, Quilici, Russell, Sales, Squires, Strizich, Thomas, Vincent.
Total 21

Excused: Cody, Connelly, Driscoll, Fritz, Pavlovich, Ream, Spaeth.
Total 7

Absent or not voting: Hayne.
Total 1

RULES (Hannah, Chairman):

1/22/87

Adverse Committee Reports

HB 149, do not pass. Chairman Hannah moved to adopt the committee report. Motion carried as follows:

Ayes: Brandewie, Campbell, Compton, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Mercer, Meyers, Nelson, Patterson, Peterson, Phillips, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.
Total 47

Noes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cohen, Corne', Daily, Darko, Gould, Grady, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Peck, Pistoria, Poff, Poulsen, Raney, Rapp-Svrcek, Russell, Schye, Squires, Stang, Strizich, Swysgood, Vincent, Whalen.
Total 46

Excused: Cody, Connelly, Driscoll, Fritz, Pavlovich, Ream, Spaeth.
Total 7

Absent or not voting: None.
Total 0

MOTIONS

Representative Hannah moved that consideration of SJR 6 on second reading be passed for the day. Motion carried.

Representative Keenan moved that consideration of HB 224 on second reading be passed for the day, because the sponsor, Representative Spaeth, is excused. Motion carried.

Representative Menahan moved that HB 233 be taken from third reading and rereferred to the Committee on Appropriations. Motion failed. (45-48)

Representative McCormick moved that HB 206 be taken from second reading and rereferred to the Committee on Business and Labor for purposes of amendment. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 425**, introduced by Corne', Lybeck, Peck, Bachini. Referred to Committee on Business and Labor.
- HB 426**, introduced by Campbell, Beck, (By Request of the State Auditor). Referred to Committee on Business and Labor.
- HB 427**, introduced by Vincent. Referred to Committee on State Administration.
- HB 428**, introduced by Connelly, Haffey, (By Request of the Department of Institutions). Referred to Committee on Taxation.
- HB 429**, introduced by Schye, E. Smith, Tveit, Weeding, Stratford, Hammond. Referred to Committee on Fish and Game.
- HB 430**, introduced by Brandewie, Harp, Cobb, Addy, Mercer. Referred to Committee on Judiciary.
- HB 431**, introduced by Phillips, DeMars, Strizich. Referred to Committee on Fish and Game.
- HB 432**, introduced by Harper, Vincent, Addy, Stratford, Brandewie, Hayne, Patterson, Hanson, Miller, O'Connell, Manning, Harp, Hansen, Russell, Corne', J. Brown, Miles, Whalen, Raney, Blaylock. Referred to Committee on Business and Labor.
- HB 433**, introduced by Sands, (By Request of the State Auditor). Referred to Committee on Business and Labor.
- HB 434**, introduced by Donaldson, (By Request of the Office of Budget and Program Planning). Referred to Committee on Appropriations.
- HB 435**, introduced by Brandewie, Mercer, Ramirez, Campbell, Miller, Hannah, J. Brown, Peck, Spaeth. Referred to Committee on Judiciary.
- HB 436**, introduced by Ramirez, Crippen, Hoffman, Raney, Bishop. Referred to Committee on Taxation.
- HB 437**, introduced by Swysgood, Weeding, (By Request of the State Auditor). Referred to Committee on Business and Labor.
- HB 438**, introduced by Ream, Farrell. Referred to Committee on Highways and Transportation.
- HB 439**, introduced by Grady, Miles, Thayer, (By Request of the State Auditor). Referred to Committee on Business and Labor.
- HB 440**, introduced by Grady, Miles, Pinsoneault, (By Request of the State Auditor). Referred to Committee on Business and Labor.
- HB 441**, introduced by Grady, Miles, Farrell, (By Request of the State Auditor). Referred to Committee on Business and Labor.
- HB 442**, introduced by Mercer, Manuel. Referred to Committee on Judiciary.
- HB 443**, introduced by Corne', Patterson. Referred to Committee on Business and Labor.
- HB 444**, introduced by Ramirez, Boylan, Hannah, Bishop, Poulsen. Referred to Committee on Taxation.
- HB 445**, introduced by Cohen, Cobb, Peck, Harp. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ramirez in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 80 - Representative J. Brown moved that HB 80 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Driscoll, Hansen, Kadas, Nisbet, O'Connell, Pistoria, Russell, Squires, Strizich, Whalen.

Total 10

Paired: Asay, Fritz, Ayes; Driscoll, Nisbet, Noes.

Excused: Cody, Connelly, Pavlovich, Ream, Spaeth.

Total 5

Absent or not voting: None.

Total 0

Representative Driscoll present at this time.

HB 126 - Representative Harper moved that HB 126 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Devlin, Sales, Switzer.

Total 3

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.

Total 6

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ramirez moved the adoption of the committee report. Report adopted. (86-7)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 92 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 89

Noes: Harp, Holliday, Nathe, Switzer, Mr. Speaker.
Total 5

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.
Total 6

Absent or not voting: None.
Total 0

HB 99 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Driscoll, Meyers, Peck.
Total 3

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.
Total 6

Absent or not voting: Hoffman.
Total 1

HB 109 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 88

Noes: Bulger, Driscoll, Giacometto, Keenan, Miles, Schye.
Total 6

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.
Total 6

Absent or not voting: None.
Total 0

HB 117 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 93

Noes: Brandewie.
Total 1

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.
Total 6

Absent or not voting: None.
Total 0

HB 166 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 86

Noes: DeMars, Driscoll, Hansen, Nisbet, Squires, Whalen.
Total 6

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.
Total 6

Absent or not voting: Campbell, Roth.
Total 2

HB 170 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould,

Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Cohen, Driscoll, Hansen, Nisbet, Peck, Squires, Stang, Strizich, Whalen.

Total 9

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.

Total 6

Absent or not voting: None.

Total 0

HB 175 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Campbell, Cobb, Eudaily, Glaser, Hansen, Nathe, Phillips, Sales, Squires, Swysgood, Thomas.

Total 11

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.

Total 6

Absent or not voting: None.

Total 0

HB 177 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.

Total 6

Absent or not voting: None.

Total 0

HB 181 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.

Total 6

Absent or not voting: None.

Total 0

HB 194 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Poulsen.

Total 1

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.

Total 6

Absent or not voting: None.

Total 0

HB 203 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert,

Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Peck, Whalen.

Total 2

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.

Total 6

Absent or not voting: None.

Total 0

HB 215 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Hoffman, Keller, Meyers, Nathe, Swift, Thoft.

Total 6

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.

Total 6

Absent or not voting: Mercer.

Total 1

HB 227 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Cody, Connelly, Fritz, Pavlovich, Ream, Spaeth.
Total 6

Absent or not voting: None.
Total 0

HB 233 passed as follows:

Ayes: Asay, Bardanouve, Brandewie, Compton, DeMars, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grinde, Hannah, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Koehnke, Lory, Manuel, Menke, Meyers, Nathe, Nelson, Peterson, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.
Total 48

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Connelly, Corne', Daily, Darko, Devlin, Driscoll, Glaser, Grady, Hanson, Harper, Harrington, Keenan, Kennerly, Kitselman, McCormick, Menahan, Mercer, Miles, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Quilici, Raney, Russell, Schye, Squires, Stang, Stratford, Strizich, Swysgood, Vincent, Whalen.
Total 47

Paired: Donaldson, Holliday, Ayes; Connelly, Pavlovich, Noes.

Excused: Cody, Fritz, Ream, Spaeth.
Total 4

Absent or not voting: Hansen.
Total 1

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Donaldson, Chairman):
HB 434, do pass. Report adopted.

1/24/87

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks thanked this week's pages for their services and introduced them as follows:

Tara Delaney, Shepherd
Ronda Harmon, Laurel
Carrie Briden, Dupuyer
Lee Farrar, Lewistown
Stephanie Westbrook, Stanford
Carmen Fried, Plevna
Kathy Johnson, Big Timber
Cherry Kleffner, Big Fork

Representative Hannah moved that the House adjourn until 3:30 p.m., January 26, 1987.

Motion carried.

House adjourned at 10:55 a.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

NINETEENTH LEGISLATIVE DAY

Helena, Montana
January 26, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Sales. Pledge of Allegiance to the Flag.

Roll call. All members present except Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventeenth and eighteenth legislative days, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/26/87

Correctly engrossed: HB 80, HB 126.

BUSINESS AND LABOR (Kitselman, Chairman): 1/26/87

HB 196, introduced bill, be amended as follows:

1. Title, line 7.

Following: "27-6-306"

Insert: "THROUGH 27-6-308"

2. Page 7.

Following: line 15

Insert: "Section 5. Section 27-6-307, MCA, is amended to read:

"27-6-307. Assistance to claimant in obtaining expert consultation. The panel director shall cooperate fully with the claimant in retaining, to consult with the claimant, upon payment of a reasonable fee by the claimant, in claims involving:

(1) a physician, a physician qualified in the field of medicine involved; ~~who will consult with the claimant upon payment of a reasonable fee by the claimant; or~~

(2) a dentist, a dentist qualified in the field of dentistry involved."

Section 6. Section 27-6-308, MCA, is amended to read:

"27-6-308. Director to furnish panel members with documents. At least 10 days prior to the hearing, the director shall furnish to each panel member copies of all claims, briefs, medical or dental records, and other documents the director considers necessary."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 218, do pass. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman): 1/26/87

HB 280, introduced bill, be amended as follows:

1. Page 1, line 12.

Strike: "180"

Insert: "120"

And, as amended, do pass. Report adopted.

HB 311, introduced bill, be amended as follows:

1. Page 3, line 18.

Following: "lights,"

Insert: "upgrading lights and lighting-related facilities in the interest of energy conservation,"

And, as amended, do pass. Report adopted.

HB 312, do pass. Report adopted.

NATURAL RESOURCES (Jones, Chairman):

1/23/87

HB 208, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN APPLICABILITY DATE"

2. Page 1, line 25 through line 2, page 2.

Following: "month." on line 25

Strike: remainder of line 25 through "then the" on line 2, page 2

Insert: "The"

3. Page 2, line 2.

Strike: "will"

Insert: "may"

4. Page 2.

Following: line 5

Insert: "NEW SECTION. Section 2. Applicability to existing and new leases. Section 1 is applicable to state oil and gas leases existing on [the effective date of this act] and to state oil and gas leases entered into after [the effective date of this act]; however, transportation charges paid before [the effective date] shall not be refunded."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 230, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "AND 82-4-221 THROUGH"

Insert: ", 82-4-222, AND"

2. Page 3, line 7.

Following: "preparation."

Insert: "The term does not mean the conversion of coal to another energy form or to a gaseous or liquid hydrocarbon, except for incidental amounts that do not leave the plant, nor does the term mean processing for other than commercial purposes."

3. Page 3, line 8.

Following: "a"

Insert: "commercial"

4. Page 3, line 9.

Following: "includes"

Insert: "commercial"

5. Page 5, line 18.

Following: "area"

Insert: ", including coal preparation plants,"

6. Page 7, line 18.

Following: "includes remining"

Insert: "and coal preparation"

Following: "The"

Strike: "term remining" is"

Insert: "terms remining" and "coal preparation" are"

7. Page 9, line 15 through page 11, line 24.

Strike: section 2 in its entirety

Renumber: subsequent section

8. Page 9, line 17.

Strike: "or" through "preparation" on line 18

9. Page 12, line 5.

Strike: "or" through "plant" on line 6

And, as amended, do pass. Report adopted.

HB 290, do pass. Report adopted.

1/26/87

MOTIONS

Representative Campbell moved that consideration of HB 201 on second reading be passed until the 25th legislative day because there are two other bills dealing with the subject, and he would like them to be considered together. Motion carried.

Representative Moore present at this time.

Representative Fritz moved that the House reconsider its action in adopting the adverse committee report on HB 149 on the 18th legislative day. Motion carried. (52-47)

Representative Fritz moved that HB 149, which was killed on adverse committee reports Saturday, 1/24/87, be printed and placed on second reading on the 21st legislative day. Motion carried. (54-46)

Representative Lory moved that HB 291 be taken from the Committee on Judiciary and rereferred to the Committee on Highways and Transportation because it deals with the 55 mph speed limit. Motion carried.

Representative Hannah moved that consideration of SJR 6 on second reading be passed until the 21st legislative day. Motion carried.

Representative J. Brown moved that HB 165 be taken from second reading and rereferred to the Committee on Judiciary to be considered with other similar measures. Motion carried.

Representative Ramirez moved that HB 366 be taken from the Committee on Taxation and rereferred to the Committee on Judiciary because it deals with the homestead exemption. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 446, introduced by Switzer. Referred to Committee on Agriculture.

HB 447, introduced by Winslow, Thomas. Referred to Committee on State Administration.

HB 448, introduced by Winslow, Cobb, Keenan, Sands. Referred to Committee on Judiciary.

HB 449, introduced by Marks, Bradley. Referred to Committee on Business and Labor.

- HB 450**, introduced by Pistoria, Meyer, McCormick, Manning, Manuel, Koehnke. Referred to Committee on Local Government.
- HB 451**, introduced by J. Brown. Referred to Committee on Human Services.
- HB 452**, introduced by Wallin. Referred to Committee on Local Government.
- HB 453**, introduced by Brandewie, Mercer, Harding, Jones, C. Smith. Referred to Committee on Natural Resources.
- HB 454**, introduced by Brandewie, Mercer, Harding, Jones, C. Smith. Referred to Committee on Fish and Game.
- HB 455**, introduced by Miles, B. Brown, Stratford, Hager, Halligan, Campbell, Hirsch, Wallin, Vincent, Winslow, Thoft, Eck, B. Williams, Squires, Harper, Cohen, Keenan, Phillips, Bradley, (By Request of the Governor). Referred to Committee on Human Services.
- HB 456**, introduced by D. Brown, Iverson, Marks, Ramirez, Asay, Harp, Brandewie, Gilbert, Ellison, Stratford, Hannah, Abrams, C. Smith, Driscoll, Patterson, Devlin, Switzer, Compton, McCormick, Manuel, Poff, Koehnke, Hager, Bishop, Jenkins, Sands, Hirsch, O'Connell, Daily, Holliday, Winslow, McLane. Referred to Committee on Taxation.
- HB 457**, introduced by J. Brown. Referred to Committee on Taxation.
- HB 458**, introduced by Glaser, Sands, Peck, Donaldson. Referred to Committee on Agriculture.
- HB 459**, introduced by Keenan, Farrell, Hannah, Raney, Regan, Fritz, Spaeth, Kennerly, Bulger, Strizich, Stratford, Jones, Vincent, Bradley, Harp, C. Smith, Miles, Ramirez, Winslow, Thomas, Stang, DeMars, Schye, Darko, Quilici, Menahan, Lynch, Abrams, Van Valkenburg, Walker, Stimatz, Neuman, Miller, Cobb, Swysgood, Meyers, Simon, Brandewie, Menke, Addy, Holliday, Bardanouve, Mercer, M. Williams, Iverson, Kadas, Kitselman, Russell, O'Connell, D. Brown, Harper, Poulsen, Jacobson, Eck, Phillips, Grady, Gould, Hansen, (By Request of the Governor and the Secretary of State). Referred to Committee on State Administration.
- HB 460**, introduced by Keenan, Wallin, Eck, Lynch, Vaughn, Stang, Regan, Connelly, Stratford, Haffey, Harding, Boylan, Bradley, Lory, Darko, Hayne, Peterson, Donaldson, Miles, Driscoll, Nisbet, Daily, Winslow, Thoft, Hanson, Cohen, Holliday, Jacobson. Referred to Committee on Judiciary.
- HB 461**, introduced by Corne'. Referred to Committee on Agriculture.
- HB 462**, introduced by Miles, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services.
- HB 463**, introduced by Cobb. Referred to Committee on Fish and Game.
- HB 464**, introduced by Cobb. Referred to Committee on Fish and Game.
- HB 465**, introduced by Cobb. Referred to Committee on Fish and Game.
- HB 466**, introduced by D. Brown, Lynch, Kitselman, Harrington, Daily, Quilici. Referred to Committee on Business and Labor.
- HB 467**, introduced by Ream, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Natural Resources.
- HB 468**, introduced by Lory. Referred to Committee on State Administration.
- HB 469**, introduced by Keenan, Menahan, (By Request of the Department of Institutions). Referred to Committee on State Administration.

- HB 470**, introduced by Miles, Van Valkenburg. Referred to Committee on Judiciary.
- HB 471**, introduced by Darko, Kitselman, Regan, Bulger, Keating, Hansen, Winslow, Miller, Driscoll, Peck, Vaughn, Pistoria. Referred to Committee on Business and Labor.
- HB 472**, introduced by Darko, J. Brown, (By Request of the Child Support Advisory Council). Referred to Committee on Judiciary.
- HB 473**, introduced by Brandewie, (By Request of the Board of Realty Regulation). Referred to Committee on Business and Labor.
- HB 474**, introduced by Moore. Referred to Committee on Judiciary.
- HB 475**, introduced by Stang, Wallin, Raney, Schye, Campbell, Spaeth, Hirsch, Mercer. Referred to Committee on Business and Labor.
- HJR 13**, introduced by Keenan, Wallin, Eck, Lynch, Darko, Haffey, Boylan, Harding, Hager, Bradley, Bulger, Whalen, Miles, Marks, Menahan, Rapp-Svrcek. Referred to Committee on Judiciary.
- HJR 14**, introduced by Donaldson, Gilbert, Schye, Hofman, Hammond, Weeding, Hoffman, Meyers, Severson. Referred to Committee on Agriculture.
- HJR 15**, introduced by Whalen, Simon, Wallin, Glaser, Thomas, Manning, Driscoll, Cohen, Hannah, Swysgood, Asay, Keenan, O'Connell, Cobb, Miles, Vincent, Jones, Regan, Galt, Addy. Referred to Committee on Business and Labor.
- HJR 16**, introduced by Peck, McCallum, Schye, Van Valkenburg, Donaldson, Miller. Referred to Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Mercer in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 224 - Representative Spaeth moved that HB 224 be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 73 - Representative Bradley moved that HB 73 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Cody, Driscoll.

Total 2

Excused: None.

Total 0

Absent or not voting: Bardanouve, Connelly, Hansen.

Total 3

HB 79 - Representative J. Brown moved that HB 79 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cobb, Cohen, Peterson, Sales, Switzer, Whalen.

Total 6

Excused: None.

Total 0

Absent or not voting: Connelly, Hansen.

Total 2

HB 131 - Representative Ellison moved that HB 131 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: DeMars, Harper, Nelson.

Total 3

Excused: None.

Total 0

Absent or not voting: Hansen, O'Connell.

Total 2

HB 152 - Representative Bardanouve moved that HB 152 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto,

Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Brandewie, Campbell, Harp, Jenkins, Sales, Swysgood.

Total 6

Excused: None.

Total 0

Absent or not voting: O'Connell.

Total 1

HB 159 - Representative Brandewie moved that HB 159 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: Harp.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 180 - Representative Simon moved that HB 180, second reading copy, be amended as follows:

1. Page 3, line 16.

Following: "proposals"

Insert: "for office supplies"

2. Page 3, line 16.

Following: "if a"

Insert: "Montana"

3. Page 3, line 17.

Following: "catalog price"

Insert: "available to the public"

4. Page 4, line 1.

Following: "from a"

Insert: "Montana"

5. Page 4, line 2.

Following: "catalog price"

Insert: "available to the public"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Harp.

Total 1

Excused: None.

Total 0

Absent or not voting: Koehnke.

Total 1

Representative Fritz moved that HB 180, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 86

Noes: Bulger, Cobb, Hannah, Menke, Meyers, Miller, Nisbet, Poulsen, Rehberg, Simon, Swift, Thoft, Wallin, Winslow.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 184 - Representative Brandewie moved that HB 184 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz,

Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Gilbert, Harp, Miller.

Total 3

Excused: None.

Total 0

Absent or not voting: D. Brown.

Total 1

HB 189 - Representative Pavlovich moved that HB 189 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Ellison, Eudaily, Hannah, Kadas, Peck, Ramirez, Rehberg, Sales, Williams.

Total 9

Excused: None.

Total 0

Absent or not voting: Connelly.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Mercer moved the adoption of the committee report. Report adopted. (95-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 58 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson,

Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 80 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Corne', Daily, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 71

Noes: Bachini, Bulger, Cobb, Cohen, Connelly, Darko, DeMars, Driscoll, Fritz, Glaser, Hansen, Harp, Kadas, Kennerly, McCormick, Mercer, Nisbet, O'Connell, Peck, Pistoria, Raney, Ream, Russell, Spaeth, Squires, Strizich, Vincent, Whalen, Williams.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 126 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Devlin, Sales, Switzer.

Total 3

Excused: None.

Total 0

Absent or not voting: Hoffman.

Total 1

MOTIONS

Representative Donaldson moved that HB 180 and HB 189 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Spaeth moved that the rules be suspended to allow the late introduction of a bill dealing with revising the membership on the Board of Crime Control. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 27, 1987.

Motion carried.

House adjourned at 5:40 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

TWENTIETH LEGISLATIVE DAY

Helena, Montana
January 27, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Rapp-Svrcek. Pledge of Allegiance to the Flag.

Roll call. All members present except Driscoll, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the nineteenth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/27/87
Correctly printed: HB 149, HB 196, HB 208, HB 218, HB 230,
HB 280, HB 290, HB 311, HB 312.
Correctly engrossed: HB 73, HB 79, HB 131, HB 152, HB 159,
HB 180, HB 184, HB 189.

APPROPRIATIONS (Donaldson, Chairman): 1/27/87
HB 357, do pass. Report adopted.
HB 391, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman): 1/27/87
HB 133, introduced bill, be amended as follows:

1. Page 47.

Following: line 24

Insert: "Section 41. Coordination. If House Bill No. 313, (LC 481), (LC 1194) or any other legislation enacted by the 50th legislature deletes or modifies the authority of the department of revenue to import and sell table wine, any amendment in this act that adds the phrase "and table wine" after the word "liquor" is void to the extent such amendments conflict with the substantive policy regarding table wine contained in such other act. The code commissioner, in consultation with the agency administering the liquor laws, shall delete such void amendments enacted in this act from the next publication of the Montana Code Annotated."

And, as amended, do pass. Report adopted.

HB 142, introduced bill, be amended as follows:

1. Page 2, line 23.

Following: "39-51-2201(2)."

Strike: "Before July 5, 1987, to"

Insert: "To"

2. Page 3, line 17.

Following: "Full"

Strike: "Week"

Insert: "Weeks"

3. Page 5, line 4.

Following: "to"

Strike: "his"

Insert: "the individual's"

4. Page 5, line 6.

Following: “(b)”

Strike: “his”

Insert: “the individual’s”

5. Page 5, line 7.

Following: “(c)”

Strike: “his”

Insert: “the individual’s”

6. Page 5, line 8.

Following: “(d)”

Strike: “his”

Insert: “the individual’s”

7. Page 5, line 9.

Following: “in”

Strike: “his”

Insert: “the”

8. Page 5, line 10.

Following: “from”

Strike: “his”

Insert: “the individual’s”

And, as amended, do pass. Report adopted.

HB 231, do pass. Report adopted.

HB 242, introduced bill, be amended as follows:

1. Title, line 6.

Following: “BASE;”

Insert: “AMENDING THE DEFINITION OF RESIDENTIAL BUILDING;”

2. Title, line 6.

Following: “AMENDING”

Strike: “SECTION”

Insert: “SECTIONS 69-3-701 AND”

3. Page 1.

Following: line 9

Insert: “Section 1. Section 69-3-701, MCA, is amended to read:

“69-3-701. Definitions. As used in this part, the following definitions apply:

(1) “Avoided costs” means the incremental costs, as determined by the commission, to an electric or natural gas utility of energy or capacity, or both, which, but for the purchase of conservation, the utility would generate or supply itself or purchase from another source.

(2) “Commission” means the Montana public service commission created in 2-15-2602.

(3) “Conservation” means any reduction in electric power or natural gas consumption as a result of investment in measures that increase the efficiency of electricity or gas use in building shells, space heating or cooling equipment, water heating equipment, or refrigeration equipment or other cost-effective measures which, over its economic life meet the criteria of 69-3-702.

(4) "Residential building" means a building used for residential occupancy that:

~~(a) was fully constructed and habitable as of October 1, 1983;~~

~~(b)~~(a) has a system for heating, cooling, or both, that uses a fuel supplied by the utility; and

~~(c)~~(b) contains at least one but not more than four separately or centrally heated dwelling units or contains more than four separately heated or cooled or both heated and cooled units.""

Renumber: subsequent sections

4. Page 1, line 16.

Following: "building"

Strike: "as of October 1, 1983"

Insert: "at least 3 years before the conservation purchases or investments are made"

And, as amended, do pass. Report adopted.

HB 254, introduced bill, be amended as follows:

1. Page 4, line 21.

Strike: "or"

2. Page 4.

Following: line 21

Insert: "(vi) loss by the insurer of its reinsurance contract; or"

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

1/20/87

HJR 5, introduced bill, be amended as follows:

1. Page 2, line 1.

Following: "1987"

Insert: "; and

WHEREAS, Montana has created and funded solely with state money a reconstruction trust fund to provide badly needed dollars for its deteriorating roads; and

WHEREAS, low asphalt and concrete prices now make highway construction an excellent investment"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman):

1/27/87

HB 114, do pass. Report adopted.

HB 200, do pass. Report adopted.

HB 223, introduced bill, be amended as follows:

1. Page 10, lines 18 and 19.

Strike: "courts, departments, agencies, and officers of this state and its subdivisions"

Insert: "department of institutions"

2. Page 10, line 21.

Strike: "their respective"

Insert: "its"

3. Page 10, line 22.

Strike: "jurisdictions"

Insert: "jurisdiction"

And, as amended, do pass. Report adopted.

JUDICIARY (Lory, Chairman):

1/27/87

HB 141, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AND"

Insert: ", "

2. Title, line 8.

Following: "25-1-201,"

Insert: "AND 25-10-405,"

3. Page 6.

Following: line 17

Insert: "Section 3. Section 25-10-405, MCA, is amended to read:

"25-10-405. Governmental entities not required to prepay fees. The state, a county, a municipality, or any subdivision thereof or any officer when prosecuting or defending an action on behalf of the state, a county, a municipality, or a subdivision thereof is not required to pay or deposit any fee or amount to or with any officer during the prosecution or defense of an action, except the fee under 25-1-201(1)(q) for filing a motion for substitution of a judge."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/27/87

HB 172, do pass. Report adopted.

HB 225, introduced bill, be amended as follows:

1. Title, line 6.

Following: "'AN ACT"

Insert: "REVISING PROVISIONS CONCERNING THE COMPOSITION OF THE BOARD OF SOCIAL AND REHABILITATION APPEALS,"

2. Title, lines 8 and 9.

Strike: "OF" on line 8 through "APPEALS" on line 9

3. Page 1, line 20.

Following: ";

Insert: ", except that no employee of the department of social and rehabilitation services may be appointed to the board"

And, as amended, do pass. Report adopted.

HB 251, do pass. Report adopted.

HB 265, introduced bill, be amended as follows:

1. Page 1, line 21.

Strike: "13-2-214"

Insert: "13-13-212(2)"

2. Page 2, line 9.

Strike: "(2)"

Insert: "(3)"

And, as amended, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

1/27/87

HB 136, do pass. Report adopted.

Adverse Committee Reports

HB 255, do not pass.

MOTIONS

Representative Hannah moved that SJR 6 be taken from second reading and rereferred to the Committee on Rules for amendment. Motion carried.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

HB 476, introduced by Gould, Driscoll, Halligan, Pistoria, Jones, C. Smith, Walker, B. Williams, Iverson, Bengtson, Addy, Harp, Gilbert, Pavlovich, Thayer. Referred to Committee on Business and Labor.

HB 477, introduced by Gould, Patterson, Brandewie. Referred to Committee on Education and Cultural Resources.

HB 478, introduced by Thomas, Meyers, Brandewie, Hofman, Swysgood, Compton, Severson, Bishop, Hirsch, Holliday, Beck, Harding, Stratford, Hayne, Lybeck, Weeding, Thayer, Giacometto, Hanson, Devlin, Thoft, Menke, Keller, O'Connell, Gilbert, Donaldson, Swift, Stang, Manuel, Nathe, Squires, DeMars, Poff, Hoffman, Marks, Koehnke, Patterson. Referred to Committee on Judiciary.

HB 479, introduced by Devlin. Referred to Committee on Education and Cultural Resources.

HB 480, introduced by Miles, Winslow, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services.

HB 481, introduced by Spaeth. Referred to Committee on State Administration.

HB 482, introduced by Schye, Spaeth, Hammond, B. Williams, E. Smith, Anderson. Referred to Committee on Judiciary.

HB 483, introduced by Bradley, (By Request of the Montana Historical Society). Referred to Committee on Education and Cultural Resources.

HB 484, introduced by Harper, Strizich, McCormick, Gould, Gilbert, Grady, Nathe. Referred to Committee on State Administration.

HB 485, introduced by Thoft, Asay, Pavlovich, Stimatz, Nathe, Devlin, Harrington, Spaeth, D. Brown. Referred to Committee on State Administration.

HB 486, introduced by Koehnke, Galt. Referred to Committee on Fish and Game.

HB 487, introduced by Thomas. Referred to Committee on Business and Labor.

HB 488, introduced by Ramirez, Spaeth. Referred to Committee on Business and Labor.

HB 489, introduced by Miles, Winslow, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services.

HB 490, introduced by Miles, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services.

HB 491, introduced by Spaeth, Schye, Anderson. Referred to Committee on Judiciary.

HB 492, introduced by Miles, Harp, (By Request of the Department of Justice). Referred to Committee on Local Government.

HB 493, introduced by Nathe, Fritz. Referred to Committee on Highways and Transportation.

HB 494, introduced by Patterson. Referred to Committee on Taxation.

HB 495, introduced by Corne'. Referred to Committee on Judiciary.

HB 496, introduced by Bradley, Driscoll, McCallum, Farrell, Grady.
Referred to Committee on Taxation.

HJR 17, introduced by Sands. Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 197 - Representative Grady moved that HB 197 do pass.

Representative Schye in the Chair.

Representative Addy made a substitute motion that HB 197 be amended. Motion failed. (45-53)

Representative Addy in the Chair.

Representative Menahan moved that HB 197, second reading copy, be amended as follows:

1. Page 1, line 22.

Strike: "30"

Insert: "10"

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Darko, DeMars, Devlin, Ellison, Fritz, Gilbert, Glaser, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Poff, Poulsen, Quilici, Raney, Ream, Russell, Sales, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 68

Noes: Bachini, Brandewie, Compton, Corne', Daily, Donaldson, Eudaily, Giacometto, Gould, Grady, Grinde, Hannah, Harp, Hayne, Jenkins, Keller, Lory, Menke, Nelson, Peck, Peterson, Pistoria, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Smith, Swift.

Total 30

Excused: Driscoll.

Total 1

Absent or not voting: Connelly.

Total 1

HB 197, as amended, passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers,

Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 88

Noes: D. Brown, Campbell, Cobb, Glaser, Harper, Kennerly, Koehnke, Nathe, Russell, Sales, Whalen.
Total 11

Excused: Driscoll.
Total 1

Absent or not voting: None.
Total 0

HB 211 - Representative Devlin moved that HB 211 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Brandewie, J. Brown, Bulger, Campbell, Compton, Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 73

Noes: Addy, Bardanouve, Bradley, Cobb, Cody, Cohen, Connelly, Corne', DeMars, Fritz, Glaser, Hansen, Harper, Kadas, Kennerly, Miles, Peck, Poff, Raney, Russell, Schye, Stang, Whalen.
Total 23

Excused: Driscoll.
Total 1

Absent or not voting: D. Brown, Harrington, Ream.
Total 3

HB 331 - Representative Bradley moved that HB 331 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 79

Noes: Brandewie, Cobb, Cohen, Devlin, Grady, Hannah, Harp, Hoffman, Menke, Mercer, Meyers, Peck, Phillips, Ramirez, Rehberg, Smith, Swift, Swysgood, Thoft, Thomas.
Total 20

Excused: Driscoll.

Total 1

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Addy moved the adoption of the committee report. Report adopted. (95-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 73 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Cody.

Total 1

Excused: Driscoll.

Total 1

Absent or not voting: Grinde.

Total 1

HB 79 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: D. Brown, Cohen, Peterson, Sales, Switzer, Whalen.

Total 6

Excused: Driscoll.

Total 1

Absent or not voting: None.

Total 0

HB 131 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: DeMars, Harper, Peck.

Total 3

Excused: Driscoll.

Total 1

Absent or not voting: None.

Total 0

HB 152 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Campbell, Harp, Sales, Swysgood.

Total 4

Excused: Driscoll.

Total 1

Absent or not voting: Bulger, Jones.

Total 2

HB 159 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck,

Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Driscoll.
Total 1

Absent or not voting: Hoffman.
Total 1

HB 184 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 94

Noes: Fritz, Harp, Miller, Peck, Poulsen.
Total 5

Excused: Driscoll.
Total 1

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 28, 1987.

Motion carried.

House adjourned at 5:10 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

TWENTY-FIRST LEGISLATIVE DAY

Helena, Montana
January 28, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Reverend George Harper. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twentieth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/28/87
Correctly printed: HB 114, HB 133, HB 136, HB 141, HB 142, HB 172, HB 200, HB 223, HB 225, HB 231, HB 242, HB 251, HB 254, HB 265, HB 357, HB 391, HJR 5.
Correctly engrossed: HB 197, HB 211, HB 331.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman): 1/28/87
HB 360, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman): 1/28/87
HB 67, introduced bill, be amended as follows:

1. Page 1.
Following: line 21
Strike: "Conviction"
Insert: "Reasonable cause includes, but is not limited to, conviction"

2. Page 1, line 23.
Following: "ordinance"
Strike: "constitutes reasonable cause"

3. Page 6, line 23.
Following: "shall"
Insert: "on the application form"

4. Page 6, line 24.
Following: "department"
Strike: "upon his application form his"
Insert: "any"

5. Page 6, line 25.
Following: "involvement"
Strike: "with"
Insert: "as an owner or operator of"

6. Page 7, line 1 through line 3.
Strike: lines 1 and 2 in their entirety and line 3 through "violations"
Insert: "Previous experience or involvement includes:

- (i) controlling of gambling devices as an owner or operator;
- (ii) employment with the owner or operator of gambling devices;
- (iii) employment in establishments where gambling is offered to the public; and

(iv) conviction of violation”

7. Page 9, line 4.

Following: “hearing.”

Strike: “(1)”

8. Page 9, line 5.

Following: “department”

Strike: “finds reasonable cause to believe”

Insert: “determines after a hearing conducted pursuant to the Montana Administrative Procedure Act that”

9. Page 9.

Following: line 8

Strike: “(a)”

Insert: “(1)”

Renumber: subsequent subsections

10. Page 9, line 16.

Following: “(1)”

Strike: “(a)”

Following: “through”

Strike: “(1)(d)”

Insert: “(4)”

11. Page 9.

Following: line 21

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

HB 179, introduced bill, be amended as follows:

1. Title, line 5.

Following: “BANKS”

Strike: “BY COMPANIES”

2. Title, line 6.

Following: “LOANS”

Insert: “BY BANK HOLDING COMPANIES OR OTHER COMPANIES”

3. Page 1, lines 11 and 12.

Following: “company” on line 11

Strike: remainder of line 11 and line 12 through “loans”

4. Page 1, line 16.

Following: “therein”

Insert: “if the institution does not both accept demand deposits and engage in the business of making commercial loans”

And, as amended, do pass. Report adopted.

HB 257, do pass. Report adopted.

HB 278, do pass. Report adopted.

HB 374, introduced bill, be amended as follows:

1/27/87

1. Title, line 16.

Following: “1985, AND”

Strike: “SECTION”

Insert: “SECTIONS 2-18-103 AND”

2. Page 3, line 7 through page 4, line 13.

Strike: section 2 in its entirety

Insert: "NEW SECTION. Section 2. Legislative liaison committee — bipartisan — compensation from lottery fund. (1) There is a legislative liaison committee.

(2) The liaison committee consists of four legislators. Two members must be from the senate and two members must be from the house of representatives. The speaker of the house and the senate committee on committees shall appoint the members of the liaison committee, and no more than two members may be of the same political party.

(3) A member of the liaison committee is entitled to compensation and expenses as provided in 5-2-302, while performing his duties as a member of the liaison committee, paid from any money in the allocation under [section 13(2), Chapter 669, Laws of 1985]."

3. Page 15.

Following: line 23

Insert: "Section 10. Section 2-18-103, MCA, is amended to read:

"2-18-103. Officers and employees excepted. Parts 1 and 2 do not apply to the following positions in state government:

- (1) elected officials;
- (2) county assessors and their chief deputy;
- (3) officers and employees of the legislative branch;
- (4) judges and employees of the judicial branch;
- (5) members of boards and commissions appointed by the governor, appointed by the legislature, or appointed by other elected state officials;
- (6) officers or members of the militia;
- (7) agency heads appointed by the governor;
- (8) academic and professional administrative personnel with individual contracts under the authority of the board of regents of higher education;
- (9) academic and professional administrative personnel and live-in houseparents who have entered into individual contracts with the state school for the deaf and blind under the authority of the state board of public education;
- (10) teachers under the authority of the department of institutions;
- (11) investment officer and assistant investment officer of the board of investments; and
- (12) four professional staff positions under the board of oil and gas conservation; and
- (13) assistant director for security of the Montana state lottery."

Renumber: subsequent sections

4. Page 15.

Following: line 24

Strike: "Section"

Insert: "Sections 2 and"

Following: "8"

Strike: "is"

Insert: "are"

5. Page 16, line 2.

Following: "to"

Strike: "section"

Insert: "sections 2 and"

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

1/28/87

HB 186, do pass. Report adopted.

HB 198, do pass. Report adopted.

HB 349, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

1/27/87

HB 161, introduced bill, be amended as follows:

1. Title, line 8.

Following: "MET;"

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE
AND A TERMINATION DATE"

2. Page 2.

Following: line 23

Insert: "NEW SECTION. Section 3. Effective date. This act is effective on passage and approval.

NEW SECTION. Section 4. Termination. This act terminates June 30, 1989."

And, as amended, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Hayne, Chairman):

1/28/87

Report on the following staff changes:

Termination of Ed Smith, legislative aide, as of 1-22-87.

Termination of Karen Dove, page, as of 1-24-87.

Termination of Jean Carroll, committee secretary, as of 1-24-87.

Hiring of Katrina Kropp, page, as of 1-24-87.

Hiring of Marigail Barham, committee secretary, as of 1-27-87.

STATE ADMINISTRATION (Sales, Chairman):

1/28/87

HB 239, introduced bill, be amended as follows:

1. Page 5, lines 6 and 7.

Strike: "—" on line 6 through "ground" on line 7

2. Page 9, line 5.

Strike: "wholly"

And, as amended, do pass. Report adopted.

HB 244, do pass. Report adopted.

HB 259, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

1/27/87

Adverse Committee Reports

HB 255, do not pass. Vice-Chairman Asay moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Grady, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Miles, Moore, Nathe, Nelson, Nisbet, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stratford, Strizich, Thoft, Vincent, Whalen, Williams, Winslow.

Total 75

Noes: Campbell, Cobb, Gilbert, Gould, Grinde, Hannah, Hanson, Jenkins, Manuel, Mercer, Meyers, Miller, O'Connell, Patterson, Pavlovich, Phillips, Sales, Stang, Swift, Switzer, Swysgood, Thomas, Wallin, Mr. Speaker.

Total 24

Excused: None.

Total 0

Absent or not voting: Squires.

Total 1

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 1/21/87

HB 11, introduced by Manuel

HB 63, introduced by Hanson

House bills concurred in and returned to the House: 1/23/87

HB 34, introduced by Spaeth

HB 50, introduced by Cobb

House bills concurred in and returned to the House: 1/26/87

HB 12, introduced by Nathe

HB 48, introduced by Harrington

House bill concurred in and returned to the House: 1/27/87

HB 22, introduced by Harper

MOTIONS

Representative Addy moved that consideration of HB 208 on second reading be passed for the day, because they were waiting for answers to a couple of important questions. Motion carried.

Representative Darko moved that Miles, Nisbet, and Thomas be added as sponsors to HB 471. Motion carried.

Representative Schye moved that consideration of HJR 6 on second reading be passed until the 22nd legislative day so that amendments could be prepared. Motion carried.

Representative D. Brown moved that the rules be suspended to allow the late introduction of a bill dealing with county jurisdiction for the state hospital at Warm Springs. Motion carried.

Representative Miller moved that the rules be suspended to allow the late introduction of a bill involving the recommitment of patients to the Boulder River School and Hospital. Motion carried.

Representative Winslow moved that the rules be suspended to allow the late introduction of the bill requiring a balanced budget. Motion carried.

Representative Moore moved that Hansen, Squires, Darko, Ream, and Miles be added as sponsors to HB 474. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 497, introduced by Miller, Kolstad, Spaeth, D. Brown, Grady, Cobb, Patterson, Phillips, Boylan. Referred to Committee on Business and Labor.

HB 498, introduced by Winslow. Referred to Committee on State Administration.

HB 499, introduced by Sands, (By Request of the State Auditor). Referred to Committee on Business and Labor.

HB 500, introduced by Cody. Referred to Committee on Business and Labor.

HB 501, introduced by Cody. Referred to Committee on Judiciary.

HB 502, introduced by Cody, Keenan. Referred to Committee on Judiciary.

HB 503, introduced by Bradley, Winslow. Referred to Committee on Judiciary.

HB 504, introduced by Kadas. Referred to Committee on State Administration.

HB 505, introduced by Menahan, (By Request of the Board of Medical Examiners). Referred to Committee on Business and Labor.

HB 506, introduced by Hansen, Cohen, Spaeth, Hannah, Walker, Harper, Keenan. Referred to Committee on Highways and Transportation.

HB 507, introduced by Campbell, Beck, (By Request of the Department of Administration). Referred to Committee on Business and Labor.

HB 508, introduced by Campbell, Beck, (By Request of the Department of Administration). Referred to Committee on Business and Labor.

HB 509, introduced by Schye, Brandewie, (By Request of the Aeronautics Division of the Department of Commerce). Referred to Committee on Judiciary.

HB 510, introduced by Hoffman, Harding, Mercer. Referred to Committee on State Administration.

HB 511, introduced by Driscoll, Nisbet, Miller, Regan, Cody, Halligan, Thomas, Kitselman, Darko, Squires, Hansen, Spaeth, Harrington, Keenan, Mazurek, Van Valkenburg. Referred to Committee on Education and Cultural Resources.

HB 512, introduced by Ream, Schye, Brandewie, Gilbert, Kolstad, Crippen, Lynch. Referred to Committee on Taxation.

HB 513, introduced by Daily, Pavlovich, Quilici, Harrington, Lynch, Jacobson, D. Brown, Stimatz. Referred to Committee on Taxation.

HB 514, introduced by Pistoria, McCormick, O'Connell, Mercer, D. Brown, Driscoll, Spaeth, Lory, J. Brown, Nisbet, Glaser, Miller. Referred to Committee on Judiciary.

HB 515, introduced by M. Williams, Fritz, Walker, Raney, Keenan, Cohen, Manning, Stang, Strizich, Connelly, Russell, Harper, Nisbet, Peck, Darko, Rapp-Svrcek, Kadas, Miles, Hansen, Ream, Kennerly, Driscoll, DeMars, Spaeth, Bradley, Schye, Poff, Menahan. Referred to Committee on Taxation.

HB 516, introduced by Manuel, Bengtson. Referred to Committee on Agriculture.

HB 517, introduced by Manuel, Bengtson. Referred to Committee on Agriculture.

HB 518, introduced by Grady, Harper, Ellison, Ream, Miles, Lory. Referred to Committee on Highways and Transportation.

HB 519, introduced by O'Connell, Quilici, Thomas, Pistoria, Koehnke, McCormick, Bachini, Pavlovich, Poulsen, C. Smith, Jones, Hoffman, Stratford, Swysgood, Gilbert, Gould, Kitselman, Nathe, Wallin, Hayne, Winslow, Giacometto, Swift, Devlin, Hannah, Meyers, Campbell, Iverson, Miller, Hofman, Peterson, Sales, Menke, Ellison, Marks, Farrell, Compton, Rehberg, Roth, Phillips, Patterson, Hager, Manuel, E. Smith, Tveit, Meyer, Galt, McLane, Donaldson, Thayer, Hammond, Bishop, Keller, Severson. Referred to Committee on Business and Labor.

HB 520, introduced by Ramirez, Crippen. Referred to Committee on Taxation.

HB 521, introduced by Miller, (By Request of the Department of Institutions). Referred to Committee on Human Services.

HJR 18, introduced by Connelly, B. Brown, Lybeck, C. Smith, Cohen, Brandewie, Harp, Harding, Nelson, Jones. Referred to Committee on Education and Cultural Resources.

HJR 19, introduced by Miles, Brandewie, Campbell, Beck, Haffey, J. Brown, Grady, Mazurek, Harding, Moore. Referred to Committee on Natural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Sands in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 224 - Representative Spaeth moved that HB 224, second reading copy, be amended as follows:

1. Page 3, line 5.

Strike: "\$25"

Insert: "\$75 under subsection (2)(a), or \$35 under subsection (2)(b),"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang,

Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Whalen.

Total 1

Excused: None.

Total 0

Absent or not voting: D. Brown, Eudaily, Squires.

Total 3

Representative Spaeth moved that HB 224, as amended, do pass.
Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Addy, Cohen, Driscoll, Mercer, Phillips, Sales, Swysgood, Vincent, Whalen.

Total 9

Excused: None.

Total 0

Absent or not voting: D. Brown, Rapp-Svrcek.

Total 2

HB 434 - Representative Donaldson moved that HB 434 do pass. After considerable debate, Representative Marks made a substitute motion that consideration of HB 434 be passed for the day. Motion carried. (57-41)

HB 149 - Representative Addy moved that HB 149 do pass. Motion failed. (41-59)

Representative Hannah moved that HB 149 do not pass. Motion carried as follows:

Ayes: Bachini, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Mr. Speaker.

Total 58

Noes: Addy, Bardanouve, Bradley, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Gould, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Lory, McCormick,

Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Vincent, Whalen.

Total 39

Excused: None.

Total 0

Absent or not voting: Asay, D. Brown, Winslow.

Total 3

HB 196 - Representative Miles moved that HB 196 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Cobb, DeMars.

Total 2

HB 218 - Representative Brandewie moved that HB 218 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Asay, Campbell, Harp, Meyers, Sales.

Total 5

Excused: None.

Total 0

Absent or not voting: Eudaily.

Total 1

HB 230 - Representative Hanson moved that HB 230 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 280 - Representative Hanson moved that HB 280 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Fritz.

Total 1

Excused: None.

Total 0

Absent or not voting: J. Brown.

Total 1

HB 290 - Representative Spaeth moved that HB 290 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek,

Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: Sales.
Total 1

Excused: None.
Total 0

Absent or not voting: Harper, Mercer.
Total 2

HB 311 - Representative Kadas moved that HB 311 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 312 - Representative Hansen moved that HB 312 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Sands moved the adoption of the committee report. Report adopted. (99-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 211 passed as follows:

Ayes: Asay, Bachini, Brandewie, J. Brown, Bulger, Campbell, Cobb, Compton, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Winslow.

Total 76

Noes: Addy, Bardanouve, Bradley, Cody, Cohen, Connelly, Corne', Fritz, Hansen, Harper, Kennerly, Miles, Moore, Peck, Poff, Raney, Russell, Schye, Squires, Stang, Vincent, Williams, Mr. Speaker.

Total 23

Excused: None.

Total 0

Absent or not voting: D. Brown.

Total 1

HB 331 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Cobb, Cohen, Devlin, Menke, Mercer, Meyers, Peck, Ramirez, Smith, Swift, Swysgood, Thoft.

Total 12

Excused: None.

Total 0

Absent or not voting: D. Brown, Bulger, Grinde, Strizich.

Total 4

MOTIONS

Representative Winslow moved that HB 434 be taken from second reading and rereferred to the Committee on Appropriations, because passage of such a large supplemental bill without the funding available constituted deficit spending. Motion carried. (93-4)

Representative Strizich moved that he be allowed to change his vote on HB 211 on third reading from no to yes. Motion carried.

Representative Hannah moved that the House reconsider its action in adopting the adverse committee report on HB 255. After considerable debate, Representative Lory moved the previous question. Motion carried. The motion to reconsider failed. (41-55)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., January 29, 1987.

Motion carried.

House adjourned at 6:25 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

TWENTY-SECOND LEGISLATIVE DAY

Helena, Montana
January 29, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Moore. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-first legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/29/87

Correctly printed: HB 67, HB 161, HB 179, HB 186, HB 198, HB 239, HB 244, HB 257, HB 259, HB 278, HB 349, HB 360, HB 374.

Correctly engrossed: HB 196, HB 218, HB 224, HB 230, HB 280, HB 290, HB 311, HB 312.

APPROPRIATIONS (Donaldson, Chairman): 1/29/87

HB 214, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman): 1/29/87

HB 129, do pass. Report adopted.

HB 130, introduced bill, be amended as follows:

1. Page 1, line 22.

Following: "~~compensation~~"

Strike: "benefits, for furnished"

Following: "medical"

Strike: "care,"

2. Page 1, line 23.

Following: "burial"

Insert: "benefits"

3. Page 1, line 25.

Following: "injury"

Insert: "."

Strike: "and for"

Insert: "The liability of the employer for payment of benefits as provided in this chapter is limited to"

4. Page 2, line 1.

Following: "of"

Strike: "wage"

Insert: "compensation"

And, as amended, do pass. Report adopted.

HB 310, introduced bill, be amended as follows:

1. Title, line 6.

Following: "ENGINEERING,"

Insert: "AND"

Following: "SURVEYING"

Strike: remainder of line 6 and line 7 through "ARCHITECTURAL"

2. Page 1, line 14.

Following: "engineering,"

Insert: "and"

Following: "surveying"

Strike: remainder of line 14

3. Page 1, line 23.

Following: "subsection"

Strike: "(8)"

Insert: "(7)"

Following: "subsection"

Strike: "(5)"

Insert: "(4)"

4. Page 1, line 24.

Following: "subsection"

Strike: "(7)"

Insert: "(6)"

5. Page 1, line 25.

Following: "engineering,"

Insert: "and"

Following: "surveying"

Strike: remainder of line 25 and line 1, page 2 through "services"

6. Page 2, line 6.

Following: "65,"

Strike: remainder of line 6 and line 7 through "66,"

7. Page 3, line 21.

Following: "engineering,"

Insert: "and"

Following: "surveying"

Strike: remainder of line 21 and line 22 through "architectural"

8. Page 3, line 22.

Following: "agency"

Strike: "shall"

Insert: "may"

9. Page 4, line 4.

Following: "with"

Strike: "a minimum of three"

Insert: "one or more"

10. Page 4, line 21.

Following: "agency."

Insert: "The agency shall follow the minimum criteria of [this act] if no other agency procedures are specifically adopted."

11. Page 4, line 24.

Following: "engineering,"

Insert: "and"

12. Page 4, line 25.

Following: "surveying"

Strike: ", or landscape architectural"

13. Page 6.

Following: line 3

Insert: "SECTION 7. Exception. (1) All agencies securing architectural, engineering, and land surveying services for projects for which

the fees are estimated not to exceed \$5,000 may contract for those professional services by direct negotiation.

(2) No agency may separate service contracts or split or break projects for the purpose of circumventing the provisions of [this act].”

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 332, do pass. Report adopted.

HB 362, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

Following: “REQUIRING” on line 4

Strike: “CERTAIN BUILDING”

And, as amended, do pass. Report adopted.

FISH AND GAME (Ellison, Chairman):

1/28/87

HB 183, introduced bill, be amended as follows:

1. Page 1.

Following: line 23

Insert: “Class A-3, Class A-4, Class B-7, Class B-8, or special antelope”

2. Page 1, line 24.

Strike: “of any class”

Insert: “to an applicant”

3. Page 1, line 24.

Strike: “such a license”

Insert: “these game management licenses”

And, as amended, do pass. Report adopted.

HB 210, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: “and”

Insert: “arrange to”

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

1/29/87

HB 269, do pass. Report adopted.

HB 281, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 281

A statement of intent is required for this bill because section 1 expressly grants the department of justice general rulemaking authority to promulgate regulations to enforce Title 61, chapter 5. The department’s authority to adopt administrative rules affecting Title 61, chapter 5, has been challenged in the Montana supreme court principally because there is no easily identifiable general rulemaking authority in chapter 5. On past occasions, the department has relied on the authority granted the highway patrol by 44-1-103 to promulgate regulations for licensing motor vehicle operators. Clarification of rulemaking authority is needed since reorganization of the department’s functions removed the licensing of motor vehicle operators from the highway patrol.

HUMAN SERVICES AND AGING (Gould, Chairman):

1/29/87

HB 348, do pass. Report adopted.**HB 455**, do pass. Report adopted.**HB 462**, introduced bill, be amended as follows:

1. Page 4, line 11.

Strike: "Services"

Insert: "Subject to available appropriated funds, services"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 347, as amended, do not pass.

JUDICIARY (Lory, Chairman):

1/29/87

HB 188, do pass. Report adopted.**HB 267**, do pass. Report adopted.

RULES (Hannah, Chairman):

1/28/87

SJR 6, third reading copy, be amended as follows:

1. Page 23.

Strike: lines 7 through 10 in their entirety

Following: line 20

Insert: "Bills and resolutions delivered after the applicable introduction deadline must be introduced within 2 legislative days after delivery."

Following: line 24

Insert: "Resolutions to express confirmation of appointments No deadline No deadline"

2. Page 36, line 11.

Following: "bills"

Insert: "originating in the Senate"

Following: "the"

Strike: "other"

3. Page 36, line 12.

Strike: "house"

Insert: "House"

Strike: "72nd"

Insert: "57th"

4. Page 36, line 13.

Strike: "RECEIVING"

5. Page 36, line 14.

Strike: "72nd"

Insert: "57th"

6. Page 36, line 15.

Strike: "Amendments" through "81st day" on line 18

Insert: "House amendments to such bills shall be transmitted by the House to the Senate on or before the 83rd day unless two-thirds of the members present and voting in the Senate determine that such an amendment may be transmitted after the 83rd day. Revenue bills originating in the House shall be transmitted to the Senate on or before the 65th day unless two-thirds of the members present and voting in the Senate determine that the bill may be transmitted after the 65th day. Senate amendments to House revenue bills shall be transmitted by the Senate to the House on or before the 83rd day unless two-thirds of the members present and voting in the House

determine that such amendments may be transmitted after the 83rd day”

7. Page 36, line 21.

Strike: “68th”

Insert: “72nd”

8. Page 36, line 23.

Strike: “68th”

Insert: “72nd”

9. Page 36, line 25.

Strike: “81st”

Insert: “83rd”

10. Page 37, line 3.

Strike: “81st”

Insert: “83rd”

11. Page 37, line 13.

Strike: “85th”

Insert: “83rd”

12. Page 42, line 16.

Following: “40th”

Strike: “day,”

Insert: “and”

13. Page 42, line 17.

Strike: “63rd day, and the 67th”

Insert: “60th”

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/29/87

HB 299, do pass. Report adopted.

Adverse Committee Reports

HB 292, do not pass.

HB 410, do not pass.

TAXATION (Ramirez, Chairman):

1/29/87

Adverse Committee Reports

HB 330, do not pass.

MOTIONS

Representative Keenan moved that the rules be suspended to allow the late drafting and introduction of a bill to ease fishing regulations for disabled people. Motion carried.

Representative Donaldson moved that consideration of Representative Bardanouve’s bill, HB 357, on second reading, be passed until the 24th legislative day, to give time to clarify some confusion. Motion carried.

Representative Whalen moved that HB 420, which has a hearing scheduled, be taken from the Committee on Business and Labor and rereferred to the Committee on Judiciary, because it has to do with insurance reporting. Motion failed. (48-50)

Representative Russell moved that she be allowed to change her vote on HB 211 on third reading yesterday from yes to no. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 522, introduced by Asay, Beck. Referred to Committee on Business and Labor.

HB 523, introduced by Pavlovich, Thomas, Bachini, Lynch, Grady, Strizich, Gould, Swysgood, Brandewie, Quilici, Pistoria, Darko, J. Brown, Squires, Manuel, Daily, McCormick, Mercer, Nisbet, Miller, C. Smith, Jones, Hansen, Wallin, Hannah, Simon, D. Brown, Abrams, Manning, Lybeck, Menahan, Campbell, Holliday, Harper, O'Connell, Spaeth, Peck, Harrington, Tveit, Walker, Stimatz, Fritz, Haffey, Jacobson, Keenan, Vincent. Referred to Committee on Taxation.

HB 524, introduced by Sands. Referred to Committee on Education and Cultural Resources.

HB 525, introduced by Wallin. Referred to Committee on Taxation.

HB 526, introduced by Schye, Bishop, Grady, Rapp-Svrcek, Gilbert, Ream, Corne', Hager, Simon, Moore, Squires, Iverson, Winslow, Pavlovich, Crippen, Harp, Driscoll, Menahan, Brandewie, Yellowtail, Bulger, Harper, Meyers, Jacobson, Bradley, Gould. Referred to Committee on Fish and Game.

HB 527, introduced by Harrington. Referred to Committee on Taxation.

HB 528, introduced by Rapp-Svrcek, Campbell, Stang, Jones, C. Smith, B. Williams, Hager, Poff. Referred to Committee on Highways and Transportation.

HB 529, introduced by Hannah, Blaylock, B. Brown, Harrington. Referred to Committee on Education and Cultural Resources.

HB 530, introduced by Ellison. Referred to Committee on Fish and Game.

HB 531, introduced by Ellison. Referred to Committee on Local Government.

HB 532, introduced by Poulsen, Thayer, Bulger, Phillips, Miller, O'Connell, McCormick, Nisbet, Manuel, Meyer, Peck, Manning, Neuman, Walker, Hannah, Donaldson, Rehberg, Darko, E. Smith, Kadas, Thoft, Ramirez, Marks. Referred to Committee on Local Government.

HB 533, introduced by Campbell, Swysgood, Cobb, Harp, Gould, Miller, Beck. Referred to Committee on Human Services.

HB 534, introduced by Hannah, M. Williams, Simon, Pistoria, Rehberg, Ramirez, Glaser, Winslow, Patterson, McLane, Gilbert, Anderson, Hager, O'Connell, Kitselman, Mercer, Asay, Devlin, Hayne, Giacometto, Stratford, Bishop, Menke, Swift, Hoffman, Miller, D. Brown, Iverson, Keating, Campbell, Nathe, Brandewie, Crippen, Keller, Thayer, Jones, C. Smith, Jenkins, Farrell, Sales, Harp, Ellison, Poff, McCallum, Donaldson, Phillips, Thomas, Roth, Daily, Wallin, Pavlovich, Grady, Sands, Switzer, Eudaily, Grinde, Nelson, E. Smith, Poulsen, Swysgood, Peterson, Meyers, Compton, Thoft. Referred to Committee on Natural Resources.

HJR 20, introduced by Grady, Phillips, Jenkins, Walker. Referred to Committee on Fish and Game.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 114 - Representative Addy moved that HB 114 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Devlin, Giacometto, Grinde, Hoffman, Sales, Switzer, Thomas.

Total 7

Excused: D. Brown.

Total 1

Absent or not voting: Bardanouve, Pavlovich, Rapp-Svrcek.

Total 3

HB 133 - Representative Williams moved that HB 133 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 136 - Representative Driscoll moved that HB 136 do pass.

Representative Menahan in the Chair.

Representative Ramirez made a substitute motion that HB 136, second reading copy, be amended. Amendment failed. (38-62)

Representatives Pavlovich and Daily excused at this time.

Representative Asay moved that HB 136, second reading copy, be amended. Amendment failed. (33-67)

HB 136 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Fritz, Gould, Grady, Harp, Harper, Harrington, Holliday, Jenkins, Jones, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 66

Noes: Asay, Cobb, Compton, DeMars, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Keller, Kitselman, Koehnke, Moore, Patterson, Peterson, Phillips, Pistoria, Rehberg, Sales, Sands, Simon, Swift, Switzer, Swysgood, Thoft, Wallin.

Total 34

Paired: D. Brown, Daily, Pavlovich, Ayes; Hannah, Rehberg, Switzer, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Driscoll excused at this time.

HB 141 - Representative Bardanouve moved that HB 141 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Addy, Devlin, Menke, Patterson, Ramirez, Sales, Swysgood, Whalen.

Total 8

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: Menahan, Switzer.

Total 2

HB 142 - Representative Harper moved that HB 142 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko,

DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Sales.

Total 1

Paired: Driscoll, Aye; Sales, No.

Excused: D. Brown, Daily, Pavlovich.

Total 3

Absent or not voting: None.

Total 0

HB 172 - Representative Squires moved that HB 172 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Hannah, Swift, Switzer, Wallin.

Total 4

Paired: Driscoll, Aye; Hannah, No.

Excused: D. Brown, Daily, Pavlovich.

Total 3

Absent or not voting: None.

Total 0

HB 200 - Representative Miles moved that HB 200 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth,

Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: Stratford.

Total 1

HB 208 - Representative Addy moved that HB 208 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: Koehnke.

Total 1

HB 223 - Representative Bardanouve moved that HB 223 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cody.

Total 1

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: DeMars.

Total 1

HB 225 - Representative Spaeth moved that HB 225 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Nathe.

Total 1

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: Menke.

Total 1

HB 231 - Representative Fritz moved that HB 231 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Sales.

Total 1

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 242 - Representative Harper moved that HB 242 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas,

Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Sales.

Total 1

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 251 - Representative Cobb moved that HB 251 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Addy, Harper, Kadas, Raney, Spaeth, Vincent, Whalen.

Total 7

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 254 - Representative Thomas moved that HB 254 do pass. Representative Thomas made a substitute motion that HB 254, second reading copy, be amended as follows:

1. Page 4, line 21.

Following: "insurer;"

Insert: "or"

2. Page 4, lines 22 and 23.

Strike: "(VI) LOSS BY THE INSURER OF ITS REINSURANCE CONTRACT; OR"

Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick,

Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 84

Noes: Brandewie, Campbell, Glaser, Harp, Jones, Kitselman, Nelson, Simon, Smith, Swysgood.
Total 10

Excused: D. Brown, Daily, Driscoll, Pavlovich.
Total 4

Absent or not voting: Asay, Pistoria.
Total 2

HB 254, as amended, passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 88

Noes: Bardanouve, Campbell, Glaser, Hannah, Jones, Keller, Koehnke, Poulsen.
Total 8

Excused: D. Brown, Daily, Driscoll, Pavlovich.
Total 4

Absent or not voting: None.
Total 0

HB 265 - Representative Phillips moved that HB 265 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 83

Noes: Bachini, Bardanouve, Hannah, Harrington, McCormick, Meyers, Peck, Pistoria, Raney, Spaeth, Squires, Vincent.
Total 12

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: Ellison.

Total 1

HB 391 - Representative Thoft moved that HB 391 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Asay, Bardanouve, Devlin, Hannah, Hoffman, Nathe, Peck, Swift.

Total 8

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: Switzer.

Total 1

HJR 5 - Representative Grady moved that HJR 5 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Asay, Campbell, Cody, Devlin, Hannah, Switzer.

Total 6

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: Ellison, Harper.

Total 2

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Menahan moved the adoption of the committee report. Report adopted. (88-6)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 196 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Asay.

Total 1

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: Nathe.

Total 1

HB 197 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Addy, Campbell, Cobb, Devlin, Kadas, Kennerly, Koehnke, Nathe, Russell, Sales.

Total 10

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 218 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford,

Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Sales.

Total 1

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 230 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Nisbet.

Total 1

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 280 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Fritz, Peck, Spaeth.

Total 3

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: Hayne.

Total 1

HB 290 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Hayne.

Total 1

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 311 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 312 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Peck.

Total 1

Excused: D. Brown, Daily, Driscoll, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:00 p.m., January 30, 1987.

Motion carried.

House adjourned at 6:55 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

TWENTY-THIRD LEGISLATIVE DAY

Helena, Montana
January 30, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Wallin. Pledge of Allegiance to the Flag.

Roll call. All members present except Asay, D. Brown, Moore, Thoft, and Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-second legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/30/87

Correctly printed: HB 129, HB 130, HB 183, HB 188, HB 210, HB 214, HB 267, HB 269, HB 281, HB 299, HB 310, HB 332, HB 348, HB 362, HB 455, HB 462.

Correctly engrossed: HB 114, HB 133, HB 136, HB 141, HB 142, HB 172, HB 200, HB 208, HB 223, HB 225, HB 231, HB 242, HB 251, HB 254, HB 265, HB 391, HJR 5.

Correctly enrolled: HB 11, HB 12, HB 22, HB 34, HB 48, HB 50, HB 63.

Examined by the sponsor and found to be correct:

HB 11 - Manuel

HB 12 - Nathe

HB 22 - Harper

HB 34 - Spaeth

HB 48 - Harrington

HB 50 - Cobb

HB 63 - Hanson

Signed by the Speaker at 4:30 p.m.: HB 11, HB 12, HB 22, HB 34, HB 48, HB 50, HB 63.

FISH AND GAME (Ellison, Chairman): 1/29/87

HB 266, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "REQUIRE"

Insert: "AUTHORIZE"

2. Page 1, line 23.

Strike: "shall"

3. Page 1, line 24.

Following: "legislature"

Insert: "may"

4. Page 2, line 12.

Strike: "shall"

Following: "legislature"

Insert: "may"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman): 1/29/87

Adverse Committee Reports

HB 347, as amended, do not pass. Chairman Gould moved to adopt the committee report. After discussion, Representative Gould withdrew the motion. Representative Gould moved that **HB 347** be taken from adverse committee report and rereferred to the Committee on Human Services. Motion carried.

LOCAL GOVERNMENT (Wallin, Chairman):

1/30/87

HB 277, introduced bill, be amended as follows:

1. Title, line 5.

Following: "PROGRAMS;"

Strike: "AND"

2. Title, line 7.

Following: "FEE"

Insert: ", AND PROVIDING AN APPROPRIATION"

3. Page 2.

Following: line 21

Insert: "for driving a motor vehicle under the influence of alcohol or a narcotic drug"

Strike: ", 61-5-206,"

Following: "or"

Insert: "seized pursuant to"

4. Page 3, line 4.

Strike: "proprietary"

Insert: "special revenue"

5. Page 3, line 16 through line 5 on page 4.

Following: "[section 1]" on line 16 page 3

Strike: remainder of subsection (4) and subsection (5) in its entirety

Insert: ", the department shall transmit the proceeds of the license reinstatement fees collected in that county to the county treasurer at the end of each quarter, and the treasurer shall deposit the license reinstatement fee in an account earmarked solely for funding education or law enforcement aimed at reducing driving under the influence of alcohol or narcotic drugs."

6. Page 4.

Following: line 5

Insert: "Section 3. Appropriation. All money deposited in the special revenue account established in [section 2] is appropriated to the department of justice for the biennium ending June 30, 1989, for distribution as provided in this act."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 335, do pass. Report adopted.

HB 452, do pass. Report adopted.

Adverse Committee Reports

HB 350, do not pass.

HB 422, do not pass.

NATURAL RESOURCES (Jones, Chairman):

1/28/87

HB 388, introduced bill, be amended as follows:

1. Title, line 8.

Following: "WATER"

Insert: "PROJECTS"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

1/29/87

Adverse Committee Reports

HB 292, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, J. Brown, Bulger, Campbell, Cohen, Compton, Corne', DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Miles, Miller, Nelson, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Vincent, Wallin, Williams, Mr. Speaker.

Total 64

Noes: Bachini, Cobb, Cody, Connelly, Daily, Darko, Driscoll, Fritz, Hansen, Harrington, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Nisbet, Pavlovich, Peck, Pistoria, Russell, Schye, Strizich, Whalen.

Total 24

Excused: Asay, D. Brown, Moore, Thoft, Winslow.

Total 5

Absent or not voting: Brandewie, Harp, Nathe, Ream, Spaeth, Squires, Thomas.

Total 7

Representative D. Brown present at this time.

HB 410, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bardanouve, Brandewie, Campbell, Cody, Compton, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin.

Total 58

Noes: Bachini, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cohen, Corne', Daily, Darko, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kitselman, Menahan, Miles, Nisbet, Pavlovich, Pistoria, Poulsen, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams, Mr. Speaker.

Total 37

Excused: Asay, Moore, Thoft, Winslow.

Total 4

Absent or not voting: Connelly.

Total 1

TAXATION (Ramirez, Chairman):

1/29/87

Adverse Committee Reports

HB 330, do not pass. Chairman Ramirez moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Mr. Speaker.
Total 87

Noes: Cohen, Harrington, Whalen, Williams.
Total 4

Excused: Asay, Moore, Thoft, Winslow.
Total 4

Absent or not voting: Jenkins, Nathe, Pavlovich, Ream, Strizich.
Total 5

MOTIONS

Representative Asay present at this time.

Representative Lory moved that HB 468 be taken from Committee on State Administration and rereferred to Committee on Judiciary to be considered with similar measures.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 3, introduced by Donaldson, (By Request of the Office of Budget and Program Planning). Referred to Committee on Appropriations.

HB 4, introduced by Thoft, (By Request of the Montana Arts Council). Referred to Committee on Appropriations.

HB 535, introduced by Ellison, Hirsch, Devlin, Giacometto, Thomas, Campbell, Lybeck, Peterson, Thoft, Beck, Swift, Thayer, Cobb, Severson, Tveit, Manuel, Gould, Brandewie. Referred to Committee on Fish and Game.

HB 536, introduced by Devlin, Switzer. Referred to Committee on Human Services.

HB 537, introduced by Patterson, Bengtson, (By Request of the State Auditor). Referred to Committee on Business and Labor.

HB 538, introduced by Winslow, Cobb, Campbell, Harper, Gilbert, Simon, Rehberg, Bradley, Donaldson, Miller, Nathe, Thoft, Phillips, Mercer, Corne', Menahan, Marks, Cohen, Vincent, Hannah. Referred to Committee on State Administration.

HB 539, introduced by Hoffman. Referred to Committee on Taxation.

HB 540, introduced by Harp. Referred to Committee on Business and Labor.

HB 541, introduced by C. Smith, Jones, (By Request of the Board of Nursing). Referred to Committee on Business and Labor.

HB 542, introduced by Bradley, Winslow. Referred to Committee on Human Services.

- HB 543**, introduced by Miles, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services.
- HB 544**, introduced by Moore, Ream, Connelly. Referred to Committee on Taxation.
- HB 545**, introduced by Moore, Ream, Hansen, Connelly, Lory, Keenan. Referred to Committee on Taxation.
- HB 546**, introduced by Fritz. Referred to Committee on Judiciary.
- HB 547**, introduced by Moore, Ream, Hansen, Connelly. Referred to Committee on Taxation.
- HB 548**, introduced by Simon. Referred to Committee on Judiciary.
- HB 549**, introduced by Mercer, Schye, Brandewie. Referred to Committee on Local Government.
- HB 550**, introduced by Ramirez, Van Valkenburg, (By Request of the Joint Committee on Rules). Referred to Committee on Rules.
- HB 551**, introduced by Sands, Bachini, Kadas, Nelson, Miller, Wallin, Driscoll, Cohen, Haffey, Miles. Referred to Committee on Appropriations.
- HB 552**, introduced by Sands, (By Request of the Secretary of State). Referred to Committee on State Administration.
- HB 553**, introduced by Simon, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on State Administration.
- HB 554**, introduced by Daily. Referred to Committee on Judiciary.
- HB 555**, introduced by Sands. Referred to Committee on Human Services.
- HB 556**, introduced by Menahan, Harrington, Miller, Daily, Haffey. Referred to Committee on Taxation.
- HB 557**, introduced by Driscoll. Referred to Committee on Business and Labor.
- HJR 21**, introduced by Mercer, Lory, Spaeth. Referred to Committee on Judiciary.
- HJR 22**, introduced by Rapp-Svrcek, Cobb. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Rehberg in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 6 - Representative Schye moved that HJR 6 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen.

Total 87

Noes: Giacometto, Hannah, Ramirez.

Total 3

Excused: Moore, Thoft, Winslow.

Total 3

Absent or not voting: Bradley, Darko, Nelson, Nisbet, Sands, Williams, Mr. Speaker.

Total 7

HB 67 - Representative Pavlovich moved that HB 67, second reading copy, be amended as follows:

1. Page 3, line 25.

Following: "player,"

Strike: "the"

Insert: "a valid"

2. Page 6, line 15.

Following: "on"

Strike: "the"

Insert: "a valid"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Moore, Thoft, Winslow.

Total 3

Absent or not voting: Bardanouve, Harrington, Schye, Williams.

Total 4

Representative Pavlovich moved that HB 67, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: Hannah, Ramirez, Sales.

Total 3

Excused: Moore, Thoft, Winslow.

Total 3

Absent or not voting: Ellison, Eudaily.

Total 2

HB 161 - Representative Meyers moved that HB 161 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, Campbell, Cobb, Cohen, Compton, Daily, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin, Williams, Mr. Speaker.

Total 69

Noes: Addy, D. Brown, J. Brown, Bulger, Cody, Connelly, Corne', Darko, Hannah, Hansen, Harper, Harrington, Kadas, Nisbet, Peck, Poff, Poulsen, Quilici, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen.

Total 26

Excused: Moore, Thoft, Winslow.

Total 3

Absent or not voting: Bardanouve, DeMars.

Total 2

HB 179 - Representative Jones moved that HB 179 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Mr. Speaker.

Total 91

Noes: Cohen, Fritz, Hannah, Whalen.

Total 4

Excused: Moore, Thoft, Winslow.

Total 3

Absent or not voting: Harper, Williams.

Total 2

HB 186 - Representative Nathe moved that HB 186 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Moore, Thoft, Winslow.

Total 3

Absent or not voting: None.

Total 0

HB 198 - Representative Roth moved that HB 198 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams.

Total 89

Noes: Kadas, McCormick, O'Connell, Russell, Mr. Speaker.

Total 5

Excused: Moore, Thoft, Winslow.

Total 3

Absent or not voting: Driscoll, Menahan, Ramirez.

Total 3

HB 239 - Representative Brandewie moved that HB 239 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift,

Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: Harp, Nathe.

Total 2

Excused: Moore, Thoft, Winslow.

Total 3

Absent or not voting: McCormick, O'Connell, Rehberg.

Total 3

Representative Addy excused at this time.

Representative Moore present at this time.

HB 244 - Representative Peterson moved that HB 244 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Addy, Thoft, Winslow.

Total 3

Absent or not voting: D. Brown, DeMars.

Total 2

Representative Addy present at this time.

HB 257 - Representative Brandewie moved that HB 257 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Pistoria, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 75

Noes: Asay, Devlin, Ellison, Eudaily, Gilbert, Hannah, Hayne, Holliday, Jenkins, Mercer, Nathe, Peck, Peterson, Phillips, Poff, Ramirez, Sales, Switzer.

Total 18

Excused: Thoft, Winslow.

Total 2

Absent or not voting: Addy, Bradley, Meyers, Squires, Williams.

Total 5

HB 259 - Representative Hannah moved that consideration of HB 259 be passed for the day because of the absence of the sponsor. Motion carried.

HB 278 - Representative Grady moved that HB 278 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 95

Noes: Brandewie, Harp.

Total 2

Excused: Thoft, Winslow.

Total 2

Absent or not voting: Williams.

Total 1

HB 349 - Representative Hannah moved that HB 349 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 94

Noes: Brandewie, Harp.

Total 2

Excused: Thoft, Winslow.

Total 2

Absent or not voting: D. Brown, Williams.

Total 2

HB 360 - Representative DeMars moved that HB 360 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 96

Noes: Kadas.

Total 1

Excused: Thoft, Winslow.

Total 2

Absent or not voting: D. Brown.

Total 1

HB 374 - Representative Pavlovich moved that HB 374 do pass. After debate, Representative Pavlovich made a substitute motion that consideration of HB 374 be passed for the day for the purpose of amendment. Motion carried.

Representative M. Williams excused at this time.

Representative Winslow present at this time.

SJR 6 - Representative Donaldson moved that SJR 6, second reading copy, be amended. Amendment failed. (37-61)

Representative Cohen absent at this time.

Representative Hannah moved that SJR 6 be concurred in. Motion carried as follows:

Ayes: Asay, Bardanouve, Brandewie, D. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 57

Noes: Addy, Bachini, Bradley, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, McCormick, Menahan, Miles, Moore, Nisbet, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 43

Paired: Eudaily, Ramirez, Thoft, Ayes; Cohen, Harper, Williams, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rehberg moved the adoption of the committee report. Report adopted. (88-7)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 114 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 92

Noes: Devlin, Giacometto, Grinde, Sales, Switzer.

Total 5

Excused: Cohen, Thoft, Williams.

Total 3

Absent or not voting: None.

Total 0

HB 133 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cohen, Thoft, Williams.

Total 3

Absent or not voting: Lory.

Total 1

HB 136 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Fritz, Gould, Grady, Harp, Harper, Harrington, Hoffman, Holliday, Jenkins, Kadas, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 68

Noes: Asay, Cobb, Compton, DeMars, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hansen, Hanson, Hayne, Iverson, Jones, Kitselman, Koehnke, Moore, Patterson, Peterson, Phillips, Pistoria, Sales, Sands, Simon, Swift, Switzer, Swysgood.

Total 30

Paired: Cohen, Aye; Sands, No.

Excused: Thoft, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 141 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 88

Noes: Addy, D. Brown, Gilbert, Menke, Patterson, Ramirez, Sales, Swysgood, Whalen.

Total 9

Excused: Cohen, Thoft, Williams.

Total 3

Absent or not voting: None.

Total 0

Representative Cohen present at this time.

HB 142 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson,

Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Thoft, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 172 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 96

Noes: Meyers, Switzer.
Total 2

Excused: Thoft, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 200 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Thoft, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 208 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Thoft, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 223 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 97

Noes: Cody.

Total 1

Excused: Thoft, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 224 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel,

Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Wallin, Winslow, Mr. Speaker.

Total 88

Noes: Cobb, Driscoll, Kadas, Mercer, Peck, Phillips, Rapp-Svrcek, Sales, Vincent, Whalen.

Total 10

Excused: Thoft, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 225 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 94

Noes: D. Brown, Driscoll, Nathe, Peck.

Total 4

Excused: Thoft, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 231 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 95

Noes: Cobb, Peck, Sales.

Total 3

Excused: Thoft, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 242 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 96

Noes: Peck, Sales.

Total 2

Excused: Thoft, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 251 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Thoft, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 265 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson,

Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Wallin, Whalen, Winslow, Mr. Speaker.

Total 88

Noes: Bachini, Driscoll, Hannah, Harrington, Kadas, McCormick, Peck, Pistoria, Russell, Vincent.

Total 10

Excused: Thoft, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 391 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Cobb, Devlin, Hannah, Miller, Nathe, Peck, Swift.

Total 7

Excused: Thoft, Williams.

Total 2

Absent or not voting: Switzer.

Total 1

HJR 5 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 94

Noes: Cody, Hannah, Nathe, Switzer.

Total 4

Excused: Thoft, Williams.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Representative Addy moved that he be allowed to change his vote on HB 141, third reading, from yes to no. Motion carried.

Representative Kitselman moved that HB 522 be taken from the Committee on Business and Labor and rereferred to the Committee on Judiciary. Motion carried.

Representative Grady moved that Weeding and Meyer be added as sponsors to HJR 20. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 9:00 a.m., January 31, 1987.

Motion carried.

House adjourned at 5:50 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

TWENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
January 31, 1987

House Chambers
State Capitol

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Peterson. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley, Giacometto, Miller, Spaeth, and Thoft, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 1/31/87
Correctly printed: HB 266, HB 277, HB 335, HB 388, HB 452.
Correctly engrossed: HB 67, HB 161, HB 179, HB 186, HB 198,
HB 239, HB 244, HB 257, HB 278, HB 349, HB 360, HJR 6,
SJR 6.

LOCAL GOVERNMENT (Wallin, Chairman): 1/30/87
Adverse Committee Reports

HB 350, do not pass. Chairman Wallin moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Eudaily, Fritz, Gilbert, Grady, Grinde, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Smith, Switzer, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 67

Noes: Asay, D. Brown, Cobb, DeMars, Devlin, Driscoll, Ellison, Glaser, Gould, Hannah, Hanson, Jenkins, Jones, Keller, Mercer, Meyers, Patterson, Pistoria, Roth, Simon, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Whalen.
Total 27

Excused: Bradley, Giacometto, Miller, Spaeth, Thoft.
Total 5

Absent or not voting: Ramirez.
Total 1

HB 422, do not pass. Chairman Wallin moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 80

Noes: Cohen, Connelly, Driscoll, Hansen, Harper, Harrington, Keenan, Menahan, Moore, Pavlovich, Ream, Russell, Squires, Vincent.
Total 14

Excused: Bradley, Giacometto, Miller, Spaeth, Thoft.
Total 5

Absent or not voting: Ramirez.
Total 1

SPECIAL ORDERS OF THE DAY

Representative Nelson brought Paul Statler, coach of the Flathead High Swim Team and the Kalispell Aquatic Team to the well of the House and introduced him as the only man to ever swim the length of Flathead Lake. He accomplished this feat in August 1986, and covered the 25 ½ miles in fourteen hours and fifteen minutes.

MOTIONS

Representative Keenan moved that consideration of HB 188 on second reading be passed for the day because of the absence of its sponsor, Representative Bradley. Motion carried.

Representative Keenan moved that consideration of HB 281 on second reading be passed for the day because Representative Spaeth is absent. Motion carried.

Representative Winslow moved that HB 259 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Williams moved that he and Representative O'Connell be allowed to change their votes on HB 360 on second reading yesterday from no to yes. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 558, introduced by Gould, Mercer, Darko, Campbell, Manning, Iverson, Gilbert, Ellison, Stang, Peterson, Wallin, Hayne, Giacometto, Jones, C. Smith, Lory, Bulger, Quilici, Fritz, DeMars, Addy, Daily, Glaser, Swysgood, Brandewie, B. Brown, Hager, Rasmussen (By Request of the Department of Justice). Referred to Committee on Judiciary.

HB 559, introduced by Harp, M. Williams, B. Brown, Mazurek, (By Request of the Department of Revenue). Referred to Committee on State Administration.

HB 560, introduced by Harper. Referred to Committee on State Administration.

HB 561, introduced by Simon, Hannah, Harper, Nathe, Regan, Keating. Referred to Committee on State Administration.

HB 562, introduced by Simon, Pavlovich, Fritz, Ramirez, Regan, Marks, Hannah, Bradley, Kitselman, Jones, C. Smith, Gilbert, Crippen, Mazurek, Keating. Referred to Committee on Business and Labor.

HB 563, introduced by Schye. Referred to Committee on Local Government.

HB 564, introduced by M. Williams, Spaeth. Referred to Committee on Judiciary.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Bulger in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 129 - Representative Driscoll moved that HB 129 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Bradley, Giacometto, Miller, Spaeth, Thoft.

Total 5

Absent or not voting: None.

Total 0

HB 130 - Representative Driscoll moved that HB 130 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bradley, Giacometto, Miller, Spaeth, Thoft.

Total 5

Absent or not voting: J. Brown.

Total 1

HB 183 - Representative Ellison moved that HB 183 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Grinde.

Total 1

Excused: Bradley, Giacometto, Miller, Spaeth, Thoft.

Total 5

Absent or not voting: Kadas.

Total 1

HB 210 - Representative Grady moved that HB 210 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bradley, Giacometto, Miller, Spaeth, Thoft.

Total 5

Absent or not voting: McCormick.

Total 1

HB 214 - Representative J. Brown moved that HB 214 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer,

Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Cobb, Hoffman, Meyers, Swift.

Total 4

Excused: Bradley, Giacometto, Miller, Spaeth, Thoft.

Total 5

Absent or not voting: Harrington.

Total 1

HB 267 - Representative Mercer moved that HB 267 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cohen, Whalen.

Total 2

Excused: Bradley, Giacometto, Miller, Spaeth, Thoft.

Total 5

Absent or not voting: Harp.

Total 1

Representative Harp excused at this time.

HB 269 - Representative Jones moved that HB 269 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Cody, Nisbet, Whalen.

Total 3

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.
Total 6

Absent or not voting: Donaldson.
Total 1

HB 299 - Representative Bardanouve moved that HB 299 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cobb.
Total 1

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.
Total 6

Absent or not voting: None.
Total 0

HB 310 - Representative Kitselman moved that HB 310 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Campbell, Nathe, Poulsen, Switzer, Swysgood.
Total 5

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.
Total 6

Absent or not voting: Pistoria.
Total 1

HB 332 - Representative J. Brown moved that HB 332 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz,

Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.

Total 6

Absent or not voting: None.

Total 0

HB 348 - Representative Harper moved that HB 348 do pass. After debate, Representative Marks made a substitute motion that HB 348 do not pass. Representative Cody made a motion to all motions pending, that consideration of HB 348 be passed for the day. Motion carried. (49-45)

Representative Sales moved that the committee rise and report. Motion failed. (43-46)

HB 357 - Representative Donaldson moved that HB 357, second reading copy, be amended as follows:

Statement of Intent
HB 357

A statement of intent is not required for this bill but is included to clarify certain issues regarding the implementation of the bill.

It is not the intent of this bill that the department of administration put controls into the statewide budgeting and accounting system (SBAS) that would preclude a state agency from expending funds differently than as provided in its approved operational plan.

Statement of intent was adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 90

Noes: None.

Total 0

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.

Total 6

Absent or not voting: Asay, Connelly, O'Connell, Mr. Speaker.

Total 4

Representative Rehberg moved that HB 357, second reading copy, be further amended as follows:

1. Page 1, line 19.

Following: "intent."

Insert: "Legislative intent for the general appropriations act is included in the narrative that accompanies the act."

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Addy, Daily, Fritz, Harrington, Kadas, McCormick, Pavlovich, Ream.

Total 8

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.

Total 6

Absent or not voting: Harper, Lory.

Total 2

Representative Rehberg moved that HB 357, second reading copy, be further amended. Representative D. Brown made a substitute motion that consideration of HB 357 be passed for the day. Motion carried.

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Bulger moved the adoption of the committee report. Report adopted. (89-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 6 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift,

Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Keenan, Ramirez, Sales.

Total 3

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.

Total 6

Absent or not voting: Williams.

Total 1

HB 161 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 74

Noes: Bulger, Cody, Connelly, Corne', Darko, Hannah, Hansen, Harper, Kadas, Menahan, Nisbet, Peck, Poff, Poulsen, Ream, Schye, Squires, Stang, Vincent, Whalen.

Total 20

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.

Total 6

Absent or not voting: None.

Total 0

HB 179 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Hannah.

Total 1

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.

Total 6

Absent or not voting: None.

Total 0

HB 186 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.

Total 6

Absent or not voting: None.

Total 0

HB 198 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.

Total 6

Absent or not voting: None.

Total 0

HB 239 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Devlin, Nathe, Peck.

Total 3

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.

Total 6

Absent or not voting: None.

Total 0

HB 244 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.

Total 6

Absent or not voting: None.

Total 0

HB 254 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Hannah, Simon.

Total 2

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.

Total 6

Absent or not voting: None.

Total 0

HB 257 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 82

Noes: Campbell, Devlin, Ellison, Hannah, Hayne, Holliday, Jenkins, Nathe, Phillips, Poff, Switzer.
Total 11

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.
Total 6

Absent or not voting: Menke.
Total 1

HB 278 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 92

Noes: D. Brown.
Total 1

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.
Total 6

Absent or not voting: Hannah.
Total 1

HB 349 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Brandewie, Meyers, Nathe, Thomas.

Total 4

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.

Total 6

Absent or not voting: Stratford.

Total 1

HB 360 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Meyers.

Total 1

Excused: Bradley, Giacometto, Harp, Miller, Spaeth, Thoft.

Total 6

Absent or not voting: None.

Total 0

SJR 6 concurred in as follows:

Ayes: Asay, Bardanouve, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 60

Noes: Addy, Bachini, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, McCormick, Menahan, Miles, Moore, Nisbet, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Vincent, Whalen, Williams.

Total 38

Paired: Giacometto, Harp, Miller, Thoft, Ayes; Addy, Rapp-Svrcek, Ream, Williams, Noes.

Excused: Bradley, Spaeth.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Representative Donaldson moved that HB 357 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks thanked this week's pages for their services and introduced them as follows:

Kurt Masola, Winston
Tyler Trevor, Helena
Dan Harrington, Butte
Michelle DeVries, Malta
Kim Clawson, Outlook
Felicia Strothers, Helena
Trudy Pederson, Polson
Lisa Kehm, Park City

Representative Hannah moved that the House adjourn until 3:00 p.m., February 2, 1987.

Motion carried.

House adjourned at 11:35 a.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

TWENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 2, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Hayne. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twenty-third and twenty-fourth legislative days, find the same to be correct.

Hayne, Chairman

SPECIAL ORDERS OF THE DAY

Representative O'Connell introduced Coach Jack Johnson and his wife, Rosann. Speaker Marks gave the following remarks:

It is with great pleasure we welcome you to the Montana House of Representatives to recognize your achievements.

This month you were named Coach of the Year by the National Sports News Service, the highest award possible.

We are proud of you and your outstanding record and I am sure your students and fellow educators share this pride. As head football coach for C.M. Russell High School in Great Falls, you have coached your teams to the Class AA state playoffs for an amazing twelve consecutive years, winning seven state championships.

You are indeed a winner. Moreover, you are a source of inspiration for hundreds of young people, your community and the State of Montana.

Congratulations.

Mr. and Mrs. Johnson were escorted from the chambers.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 2/2/87

Correctly engrossed: HB 129, HB 130, HB 183, HB 210, HB 214, HB 267, HB 269, HB 299, HB 310, HB 332.

Delivered to the Governor for his approval at 9:00 a.m.: HB 11, HB 12, HB 22, HB 34, HB 48, HB 50, HB 63.

BUSINESS AND LABOR (Kitselman, Chairman): 2/2/87

HB 143, introduced bill, be amended as follows:

1. Title, line 15.

Following: "AN"

Strike: "IMMEDIATE"

2. Page 6, lines 16 through 22.

Following: "payment" on line 16

Strike: remainder of line 16, lines 17 through 21 in their entirety and line 22 through "of"

Insert: "made by the employer, if the payment was made under a plan established for the employees in general or for a specific class or classes of employees, to or on behalf of the employee for"

3. Page 6, line 25.

Following: "made"

Insert: "by an employer directly"

Following: "employee"

Strike: remainder of line 25, lines 1 and 2, page 7, in their entirety, and line 3, page 7, through "law"

Insert: ", only those payments made under a workers' compensation law are excluded from "wages""

4. Page 10, line 4.

Following: "its"

Strike: "university"

Insert: "universities"

5. Page 20, line 8.

Following: "who"

Strike: "is"

Insert: "has been"

6. Page 32, lines 1 through 3.

Following: "action." on line 1

Strike: remainder of line 1 and lines 2 and 3 in their entirety

7. Page 32, line 22.

Following: "real"

Strike: "and personal"

8. Page 32, line 23.

Following: "employer."

Insert: "From the time the judgment is filed with the secretary of state or a registrar of personal property specifically describing the personal property, it becomes a lien upon personal property of the employer."

9. Page 36, line 8.

Following: "consider"

Insert: ": (a)"

10. Page 36, line 10.

Following: "morals"

Strike: ", "

Insert: ", "

Following: "his"

Insert: "(b)"

11. Page 36, line 11.

Following: "training"

Strike: ", "

Insert: ", "

Following: "his"

Insert: "(c) the individual's"

Following: "earnings"

Strike: ", "

Insert: ", "

Following: "his"

Insert: "(d) the individual's"

12. Page 36, line 13.

Following: "occupation"

Strike: ", "

Insert: ", "

Following: "and"

Insert: "(e)"

13. Page 39, line 21.

Following: "~~general~~."

Insert: "The department is deemed to be a party to any judicial action involving any such decision and may be represented in any such action by an attorney employed by the department or, at the department's request, by the attorney general."

14. Page 41, line 1.

Following: "~~state~~"

Insert: "except cases arising under the workers' compensation law of this state"

15. Page 47, line 20.

Following: "~~unpaid~~"

Strike: "~~contribution~~"

Insert: "contributions,"

16. Page 50, line 19.

Following: "~~effective~~"

Strike: "~~on passage and approval~~"

Insert: "July 1, 1987"

And, as amended, do pass. Report adopted.

HB 206, introduced bill, be amended as follows:

1. Page 2.

Following: line 12

Insert: "(f) each quarter must represent one credit;"

Renumber: subsequent subsections

2. Page 3, line 25.

Following: "(i)"

Insert: "total"

Following: "by"

Strike: "each"

Insert: "both"

Following: "coin"

Strike: "acceptor"

Insert: "acceptors"

3. Page 4, line 1.

Following: "~~total~~"

Strike: "~~bills~~"

Insert: "~~credits~~"

4. Page 4, lines 12 and 13.

Following: "~~(ii)~~" on line 12

Strike: "~~total bills in the~~"

Insert: "if the machine has a"

Following: "~~acceptor~~" on line 12

Strike: remainder of line 12 and line 13 through "~~a~~"

Insert: ", it must contain electronic metering using meters that record total coins in mechanisms 1 and 2 combined and total credits in the"

And, as amended, do pass. Report adopted.

HB 302, do pass. Report adopted.

HB 363, do pass. Report adopted.

HB 345, introduced bill, be amended as follows:

1. Title, lines 8 and 9.

Following: "MCA" on line 8

Strike: remainder of line 8 and line 9 through "DATE"

2. Page 1, lines 22 through 25.

Following: "~~determine~~" on line 22

Strike: remainder of line 22, lines 23 and 24 in their entirety, and line 25 through "(2)"

Insert: "not less than \$25,000 or more than \$200,000, as the division may determine."

Renumber: subsequent subsections

3. Page 3, lines 17 and 18.

Strike: section 3 in its entirety

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

1/30/87

HB 69, introduced bill, be amended as follows:

1. Title, line 6.

Following: "DISTRICT"

Insert: "OR NEW HIGH SCHOOL DISTRICT"

2. Title, line 7.

Strike: "AND"

3. Title, line 8.

Strike: "AND"

Insert: " , "

Following: "20-6-217,"

Insert: "AND 20-6-325,"

4. Title, line 8.

Following: "MCA"

Insert: " , AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

5. Page 1, line 18.

Strike: "\$500,000"

Insert: "\$1 million"

6. Page 1, line 23.

Strike: "\$500,000"

Insert: "\$2 million"

7. Page 5.

Following: line 21

Insert: "Section 3. Section 20-6-325, MCA, is amended to read:

"20-6-325. Procedure for creation of new high school district out of existing districts — limitation for creation. (1) To create a new high school district, a petition requesting the creation of a new high school district out of the territory of an existing high school district or districts must be addressed to the county superintendent and must:

(a) describe the territory that is requested to be incorporated in the new district and the taxable value of such territory as shown by the last completed assessment roll;

(b) state the reasons why the creation of a new district is requested; and

(c) be signed by the parents or guardians of not less than 50 children who are at least 14 years old but less than 18 years old and who reside in the territory that would be included in the new district and who reside more than 20 miles over the shortest practical route from an operating high school.

(2) When a county superintendent receives a valid petition requesting the creation of a new district, he shall:

(a) file such petition;

(b) set a hearing place, date, and time for consideration of the petition that is not more than 40 days after the receipt of the petition; and

(c) give notice of the place, date, and time of the hearing. Notices must be posted in the high school districts affected by the request in the manner prescribed in 20-20-204 for school elections, with at least one such notice posted in the territory to be included in the new district.

(3) The county superintendent shall conduct the hearing as scheduled unless before or at the time of the hearing he receives a protest petition signed by a majority of the electors of the proposed new district who are qualified to vote under the provisions of 20-20-301. A valid protest petition conclusively denies the creation of a new district. If a hearing is conducted, any resident or taxpayer of the affected districts must be heard. If the county superintendent considers it advisable and in the best interests of the residents of the proposed new district, he shall grant the petitioned request and order the creation of a new district with its boundaries coinciding with the boundaries defined in the petition. Otherwise, he shall by order deny the request. In the order creating the new district, the effective date for its creation must be the following July 1.

(4) The county superintendent's order may be appealed to the superintendent of public instruction within 30 days after the date of such order. An appeal must be in writing and be signed by not less than 10 residents of the proposed new district. The superintendent of public instruction shall:

(a) call a hearing on the appeal not less than 20 days or more than 30 days from receipt of the appeal;

(b) provide notice of the hearing in the manner prescribed in subsection (2)(c);

(c) consider the material presented at the county superintendent's hearing and pertinent other material; and

(d) render a decision on the creation of such new high school district. The decision is final.

(5) When a new high school district is created, the trustees of the elementary district in which the high school buildings are located are the trustees of the new district. A trustee appointed under the provisions of this section shall serve until a successor is elected at the next regular school election and is qualified.

(6) If the district does not open and operate a school within 1 year after the effective date of the creation of the new district, the order of the county superintendent or, if his order is appealed, the decision of the superintendent of public instruction creating a new district

under this section is void and the new district ceases to exist. If the new district does not satisfy this requirement, the territory must be reincorporated in the district or districts in which it was located before the creation of the new district and the trustees are without capacity to act.

(7) If a petition has been filed under the provisions of this section and denied by the county superintendent, no new petition may be filed until 1 year after the final decision on the original petition.

(8) For the purposes of this section, the taxable value of the taxable property of the territory proposed to be included in the new district must be at least ~~\$500,000~~ \$1 million, unless 50,000 acres or more of such proposed new district are nontaxable Indian land, and the taxable value of the taxable property of each existing district from which territory would be detached must be at least \$2 million after the territory is detached."

NEW SECTION. Section 4. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 273, do pass. Report adopted.

2/2/87

Adverse Committee Reports

HB 145, as amended, do not pass.

JUDICIARY (Lory, Chairman):

2/2/87

HB 235, do pass. Report adopted.

HB 326, introduced bill, be amended as follows:

1. Title, line 5.

Following: "PROVIDE"

Insert: "THAT A JUDGE HAS DISCRETION TO GRANT"

2. Title, line 7.

Strike: ", UNLESS THE SENTENCING COURT ORDERS OTHERWISE"

3. Page 3, line 10.

Strike: "is"

Following: "not"

Insert: "may, at the discretion of the judge, be granted as"

4. Page 3, line 11.

Strike: "unless the court orders otherwise"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 70, as amended, do not pass.

LOCAL GOVERNMENT (Wallin, Chairman):

2/2/87

HB 253, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "TERRITORY"

Insert: "CERTAIN PREVIOUSLY ADDED AREAS"

2. Title, lines 7 and 9.

Strike: "TERRITORY" two times on line 7 and on line 9

Insert: "AREA"

3. Pages 1 and 2.

Strike: everything following the enacting clause

Insert: "Section 1. Section 7-14-241, MCA, is amended to read:

"7-14-241. Procedure to enlarge district. (1) The boundaries of any transportation district may be enlarged if 51% of the qualified electors of the area to be added to the existing district sign a petition requesting addition to such district.

(2) However, each addition must be approved by a majority vote of the transportation board.

(3) The area added to a district pursuant to subsection (1) may be removed if the area does not directly receive transportation services from the district and 51% of the qualified voters in the area sign a petition requesting to be removed from the district. The removal of the area is effective 60 days after submission of the petition to the transportation board, unless within that time it is determined that the petition contains insufficient signatures for removal of territory. An insufficient petition must be returned to the petitioners who may submit it again within 90 days.

~~(3)~~(4) (a) All property within any addition to the district shall be subject to all existing indebtedness of the district.

(b) Property within an area removed from the district is not subject to the district's existing indebtedness if the area had been added to the district within 5 years of the date the petition for removal was submitted to the transportation board."

And, as amended, do pass. Report adopted.

HB 320, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

2/2/87

HB 234, do pass. Report adopted.

MOTIONS

Representative Sales moved that HB 560 and HB 561 be taken from the Committee on State Administration and rereferred to the Committee on Local Government, because they deal with salaries of local government officials. Motion carried.

Representative Campbell moved that consideration of HB 201 on second reading be passed until the 32nd legislative day. Motion carried.

Representative Harper moved that consideration of HB 348 on second reading be passed until the 28th legislative day. Motion carried.

Representative Vincent moved that the rules be suspended to allow the late drafting and introduction of a House joint resolution addressing Delta Airlines' merger with Western Airlines and their attempts at offering competitive fares. Motion carried.

Representative Addy moved that the rules be suspended to allow the late introduction of a bill dealing with funding for local improvement districts. Motion carried.

Representative Bachini moved that Strizich, Daily, Eck, Stimatz, Blaylock, and Harp be added as sponsors to HB 418. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 565, introduced by Pistoria, McCormick, Harper. Referred to Committee on Taxation.

HB 566, introduced by Keenan, Miles, Menahan, Bulger, Darko, Raney, Nisbet, Cody, Schye, Lory, Regan, Eck, Van Valkenburg, B. Brown, Jacobson. Referred to Committee on Judiciary.

HB 567, introduced by Ramirez, Spaeth, Lory, J. Brown, Mercer. Referred to Committee on Judiciary.

HB 568, introduced by Fritz. Referred to Committee on Fish and Game.

HB 569, introduced by Grady, Fritz, Schye, Manuel, Driscoll, Lybeck, Halligan, Brandewie, J. Brown. Referred to Committee on Business and Labor.

HB 570, introduced by Brandewie, Pavlovich, Grady. Referred to Committee on Business and Labor.

HB 571, introduced by Daily, Pavlovich, Quilici, Hannah. Referred to Committee on Human Services.

HB 572, introduced by O'Connell, Roth, Kennerly, Glaser, Jones, Spaeth, Poff, Thomas, Koehnke, Mercer, Hannah, McCormick. Referred to Committee on Taxation.

HB 573, introduced by Winslow. Referred to Committee on Appropriations.

HB 574, introduced by Pavlovich, Daily, Fritz, Driscoll, Quilici, Menahan, Harrington, Harp, D. Brown, Nisbet, Stimatz, Haffey, McCormick, Walker, Grady, Cody, Manuel, Lynch, Jacobson. Referred to Committee on Business and Labor.

HB 575, introduced by Kadas. Referred to Committee on Taxation.

HB 576, introduced by Eudaily, Nelson. Referred to Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Fritz in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 362 - Representative Glaser moved that HB 362 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connely, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow.

Total 96

Noes: Poulsen, Wallin.

Total 2

Excused: None.

Total 0

Absent or not voting: Asay, Mr. Speaker.

Total 2

HB 374 - Representative Pavlovich moved that HB 374, second reading copy, be amended as follows:

1. Title, line 15.

Strike: "7,"

2. Page 4, line 24.

Following: "5-2-302,"

Insert: "paid from any money in the allocation under [section 13(2), Chapter 669, Laws of 1985],"

3. Page 5.

Strike: lines 1 and 2

Insert: "AS PROVIDED IN SUBSECTION (4) OF THIS SECTION."

4. Page 5.

Following: line 2

Insert: "(4) The liaison committee shall meet once each fiscal year with the commission at Helena and shall report to each legislature on the activities and operations of the state lottery."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: O'Connell.

Total 1

Representative Pavlovich moved that HB 374, as amended, do pass. After debate, Representative Hannah made a substitute motion that HB 374 be placed below HB 188 on the second reading board for purposes of an amendment. Motion carried.

HB 455 - Representative Miles moved that HB 455 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson,

Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 462 - Representative Miles moved that HB 462 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Devlin, Ellison, Giacometto, Hanson, Menke, Meyers, Peterson, Sales, Simon, Swysgood.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 188 - Representative Bradley moved that HB 188 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 374 - Representative Ramirez moved that HB 374, second reading copy, be amended as follows:

1. Page 4, line 22.

Following: "PARTY."

Insert: "No legislator who has any ownership interest in any gambling device or establishment may be appointed to the liaison committee."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Darko, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Kadas, Keller, Kitselman, Koehnke, Menke, Miles, Nathe, Nelson, Peck, Peterson, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Spaeth, Stang, Stratford, Swift, Switzer, Thoft, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 56

Noes: Brandewie, D. Brown, Campbell, Cody, Corne', Daily, DeMars, Devlin, Giacometto, Glaser, Gould, Harp, Harrington, Holliday, Iverson, Jenkins, Jones, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Quilici, Ream, Russell, Simon, Smith, Squires, Strizich, Swysgood, Thomas, Vincent.

Total 42

Excused: None.

Total 0

Absent or not voting: Bradley, Driscoll.

Total 2

Representative Hannah moved that HB 374, second reading copy, be further amended. After debate, Representative Hannah withdrew his amendment.

Representative Pavlovich moved that HB 374, as amended, do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hanson, Harrington, Hoffman, Holliday, Jenkins, Jones, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Addy, Bardanouve, Cobb, Cohen, Connelly, Ellison, Gilbert, Hannah, Hansen, Harp, Harper, Hayne, Iverson, Kadas, Keller, Menke,

Mercer, Meyers, Moore, Nelson, Peck, Poff, Poulsen, Ramirez, Rapp-Svrcek, Sales, Simon, Stratford, Thoft, Wallin.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 266 - Representative Ream moved that HB 266 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Asay, Devlin, Gilbert, Glaser, Jenkins, Koehnke, Switzer, Swysgood.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Williams excused at this time.

HB 277 - Representative Connelly moved that HB 277 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Darko, Fritz, Gould, Hannah, Hansen, Harper, Hayne, Hoffman, Holliday, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, Manuel, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Squires, Stratford, Vincent, Wallin, Winslow, Mr. Speaker.

Total 56

Noes: D. Brown, Campbell, Compton, Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hanson, Harp, Iverson, Jenkins, Jones, Kitselman, McCormick, Menahan, Meyers, O'Connell, Patterson, Pavlovich, Phillips, Roth, Sales, Simon, Smith, Spaeth, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Whalen.

Total 41

Excused: Williams.

Total 1

Absent or not voting: Harrington, Nathe.

Total 2

Representative Daily excused at this time.

HB 281 - Representative Spaeth moved that HB 281 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 92

Noes: Driscoll, Hannah, Koehnke, Swysgood.

Total 4

Excused: Daily, Williams.

Total 2

Absent or not voting: Harper, Rapp-Svrcek.

Total 2

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Fritz moved the adoption of the committee report. Report adopted. (89-6)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 67 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 95

Noes: Gilbert, Hannah, Sales.

Total 3

Excused: Daily, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 129 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: Daily, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 130 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: Daily, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 183 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Daily, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 210 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 96

Noes: Bachini, Peck.

Total 2

Excused: Daily, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 214 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 92

Noes: Cobb, Harp, Hoffman, Meyers, Swift.

Total 5

Excused: Daily, Williams.

Total 2

Absent or not voting: Grady.

Total 1

HB 267 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 93

Noes: Asay, D. Brown, Cohen, Peck, Whalen.

Total 5

Excused: Daily, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 269 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 94

Noes: Cody, Nisbet, Peck, Whalen.

Total 4

Excused: Daily, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 299 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 96

Noes: Cobb, Peck.

Total 2

Excused: Daily, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 310 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 88

Noes: Campbell, Ellison, Harp, Koehnke, Meyers, Nathe, Peck, Poulsen, Swysgood.

Total 9

Excused: Daily, Williams.

Total 2

Absent or not voting: Miller.

Total 1

HB 332 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Daily, Williams.

Total 2

Absent or not voting: Lory.

Total 1

MOTIONS

Representative Donaldson moved that HB 277 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks gave the following Ground Hog's Day prediction:

Contrary to the dismal climatic and seasonal forecast emanating from the usually undependable eastern establishment of Punxatawney Phil, the optimistic prognostications of Clancy Clyde, the psychic groundhog from Lump Gulch who observed no shadow today and therefore predicted continued hot air and high pressure interspersed intermittently with occlusion not just for six weeks but the duration of the first four months of 1987.

Representative Hannah moved that the House adjourn until 3:00 p.m., February 3, 1987.

Motion carried.

House adjourned at 5:10 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

TWENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 3, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Gould. Pledge of Allegiance to the Flag.

Roll call. All members present except Daily, Harrington, and Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-fifth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 2/3/87

Correctly printed: HB 69, HB 143, HB 206, HB 234, HB 235, HB 253, HB 273, HB 302, HB 308, HB 320, HB 326, HB 345, HB 363.

Correctly engrossed: HB 188, HB 266, HB 281, HB 362, HB 374, HB 455, HB 462.

BUSINESS AND LABOR (Kitselman, Chairman): 2/3/87

HB 228, introduced bill, be amended as follows:

1. Page 1, line 23.

Following: "hearing."

Insert: "Any request for a stay of the commissioner's order must be made within 60 days to run including the 30 days for appeal."

And, as amended, do pass. Report adopted.

HB 334, do pass. Report adopted.

HB 386, do pass. Report adopted.

HB 389, introduced bill, be amended as follows:

1. Page 1, line 15.

Following: "before"

Strike: "January 1"

Insert: "February 15"

2. Page 1, line 23.

Following: "before"

Strike: "January 1"

Insert: "February 15"

3. Page 2, line 4.

Following: "a"

Strike: "reasonable"

Following: "fee"

Insert: "equal to twice the current renewal fee, but no less than \$100,"

And, as amended, do pass. Report adopted.

HB 401, introduced bill, be amended as follows:

1. Page 1, line 18.

Following: "city."

Insert: "For purposes of this exemption, "communications equipment" includes telephone wire inside a customer's premises. Nothing

in this chapter prohibits a public utility from doing inside wiring to install, alter, repair, or maintain electrical equipment, installations, or facilities in buildings owned by the public utility if the work is accomplished by an employee who is a licensed electrician. If the building owned by the public utility is open to the public and the inside wiring constitutes major renovation or construction, the installation, alteration, repair, or maintenance of electrical equipment, installations, or facilities is subject to permits and inspections required by law."

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 401

A statement of intent is required for this bill because section 4 expands the rulemaking authority of the state electrical board to set requirements for continuing education for master and journeyman electricians.

The intention of the legislature is that the board adopt rules to require a master or journeyman electrician to attend classes to inform him of changes in the codes and safety standards, developments of new equipment, and other matters pertinent to the performance of his work.

HB 411, introduced bill, be amended as follows:

1. Page 1, lines 24 and 25, and page 2, line 1.

Following: "hoisting." on line 24, page 1

Strike: remainder of line 24, line 25 and line 1, page 2, in their entirety

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

1/30/87

Representative Harrington present at this time.

Adverse Committee Reports

HB 145, as amended, do not pass. Chairman Sands moved to adopt the committee report. Representative Eudaily made a substitute motion that the adverse committee report be rejected and HB 145 be printed and placed on second reading. Motion failed. (42-57)

The adverse committee report was adopted as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Glaser, Grady, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, McCormick, Menahan, Menke, Mercer, Miles, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Swift, Vincent, Whalen, Williams, Mr. Speaker.

Total 68

Noes: Asay, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grinde, Hannah, Harp, Hayne, Jenkins, Jones, Keller, Lory, Manuel, Meyers, Nathe, Nelson, Ramirez, Sales, Stratford, Switzer, Swysgood, Thoft, Thomas, Wallin.

Total 28

Paired: Daily, Aye; Hannah, No.

Excused: Winslow.

Total 1

Absent or not voting: Bardanouve, Quilici, Smith.

Total 3

HUMAN SERVICES AND AGING (Gould, Chairman): 2/3/87

HB 402, do pass. Report adopted.

HB 533, introduced bill, be amended as follows:

1. Page 1, line 24.

Strike: "applicant"

Insert: "commission. If the number of valid disabled applicants exceeds the number of licenses available, the department may hold a drawing whereby all applicants have an equal chance of being selected."

And, as amended, do pass. Report adopted.

JUDICIARY (Lory, Chairman): 2/3/87

HB 207, introduced bill, be amended as follows:

1. Page 1, line 22.

Strike: "department's" through "this subsection" at beginning of line 3 on page 2

Insert: "department must grant or deny the claim in writing sent by certified mail within 60 days after the claim is presented to the department. Upon the department's receipt of the claim, the statute of limitations on the claim is tolled for 60 days or until the department denies the claim, whichever is less"

And, as amended, do pass. Report adopted.

HB 309, introduced bill, be amended as follows:

1. Page 4, line 25.

Strike: "in" through "39-71-224" on line 1, page 5

And, as amended, do pass. Report adopted.

HB 322, introduced bill, be amended as follows: 2/2/87

1. Title, line 7.

Strike: "VESSELS"

Insert: "SAILBOATS"

2. Title.

Following: line 8

Insert: "ATTACHED TO MOTORBOATS"

3. Page 1, line 23.

Strike: "vessel"

Insert: "sailboat"

4. Page 1, line 24.

Following: "device"

Insert: "attached to a motorboat"

5. Page 3, line 18.

Strike: "(a)"

6. Page 4.

Following: line 14

Strike: section (3) in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 353, do pass. Report adopted.

2/3/87

Adverse Committee Reports

HB 70, as amended, do not pass. Chairman Lory moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Whalen, Mr. Speaker.

Total 70

Noes: Bradley, D. Brown, Cohen, Connelly, Darko, Harper, Kadas, Keenan, McCormick, Miles, Nisbet, Schye, Strizich, Vincent, Wallin, Williams.

Total 16

Excused: Daily, Harrington, Winslow.

Total 3

Absent or not voting: Asay, Brandewie, Fritz, Giacometto, Grady, Harp, Menahan, Pavlovich, Poff, Rapp-Svrcek, Squires.

Total 11

NATURAL RESOURCES (Jones, Chairman):

2/2/87

HB 308, do pass. Report adopted.

Adverse Committee Reports

HB 328, do not pass.

RULES (Hannah, Chairman):

2/3/87

HB 550, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/3/87

HB 238, do pass. Report adopted.

HB 321, do pass. Report adopted.

HB 553, introduced bill, be amended as follows:

1. Title, line 9.

Following: “;”

Insert: “AND”

2. Title, lines 10 and 11.

Strike: “;” on line 10 through “DATE” on line 11

3. Page 2.

Following: line 17

Insert: “**NEW SECTION.** Section 2. Costs of changes. The department of social and rehabilitation services is responsible for all costs associated with the changes to the existing warrant writing system and computer programs to implement the requirement that warrants

funded to any extent with federal money be presented for payment within 180 days after the date of issue."

Renumber: subsequent section

4. Page 2, lines 22 and 23.

Strike: section 3 in its entirety

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HJR 9, do not pass.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House:

2/2/87

HB 27, introduced by Spaeth

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 5, introduced by Thoft, (By Request of the Department of Administration). Referred to Committee on Appropriations.

HB 577, introduced by D. Brown, Strizich, Halligan. Referred to Committee on Judiciary.

HB 578, introduced by Cohen. Referred to Committee on Appropriations.

HB 579, introduced by Cobb, Pistoria, O'Connell, Manuel, Meyers. Referred to Committee on Local Government.

HB 580, introduced by Swysgood, Campbell, Brandewie, Stang, Miller, Harp, Grady, Menke, Tveit, Harper, McCormick, Anderson, Farrell. Referred to Committee on Highways and Transportation.

HB 581, introduced by McCormick, Manning, Walker, Nisbet, Pistoria. Referred to Committee on Human Services.

HB 582, introduced by Darko, Nisbet, Keenan, B. Brown, Daily, Menahan, Corne', Harrington. Referred to Committee on State Administration.

HB 583, introduced by Donaldson, Quilici, (By Request of the Department of Public Service Regulation). Referred to Committee on Taxation.

HB 584, introduced by Bardanouve, Eck. Referred to Committee on State Administration.

HB 585, introduced by Bradley, Vaughn, E. Smith, Kolstad. Referred to Committee on Business and Labor.

HB 586, introduced by Gould. Referred to Committee on Business and Labor.

HB 587, introduced by Darko. Referred to Committee on Local Government.

HB 588, introduced by Darko. Referred to Committee on Local Government.

HB 589, introduced by Koehnke. Referred to Committee on Local Government.

HB 590, introduced by Strizich, Walker, O'Connell, Addy, Meyer, Squires, Phillips, Giacometto, Poulsen, Pistoria, Cody, Nisbet, Manning, Miles, Harper, DeMars, Bulger, Manuel. Referred to Committee on Judiciary.

HJR 23, introduced by Cobb, Asay. Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Thomas in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Winslow and Harrington present at this time.

HB 335 - Representative Pistoria moved that HB 335 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Campbell, Cobb, Giacometto, Miller, Nelson, Peterson, Thomas.

Total 7

Excused: Daily.

Total 1

Absent or not voting: None.

Total 0

HB 388 - Representative Asay moved that HB 388 do pass. After debate, Representative Asay made a substitute motion that consideration of HB 388 be passed for the day. Motion failed.

HB 388 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Addy, Campbell, Ellison, Glaser, Hannah, Hoffman, Koehnke, Menke, Meyers, Nathe, Peterson, Stang, Swift, Switzer, Swysgood.

Total 15

Excused: Daily.

Total 1

Absent or not voting: Devlin, Kennerly.

Total 2

HB 452 - Representative Wallin moved that HB 452 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Driscoll, Hansen, Squires.

Total 3

Excused: Daily.

Total 1

Absent or not voting: Connelly.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Thomas moved the adoption of the committee report. Report adopted. (96-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 188 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Daily.

Total 1

Absent or not voting: Menke.

Total 1

HB 266 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Campbell, Devlin, Jenkins, Koehnke, Swysgood.

Total 5

Excused: Daily.

Total 1

Absent or not voting: Menke.

Total 1

HB 281 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Koehnke, Swysgood.

Total 2

Excused: Daily.

Total 1

Absent or not voting: None.

Total 0

HB 362 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang,

Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.
Total 96

Noes: Poulsen, Wallin.
Total 2

Excused: Daily.
Total 1

Absent or not voting: Cobb.
Total 1

HB 455 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Daily.
Total 1

Absent or not voting: None.
Total 0

HB 462 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 93

Noes: Devlin, Ellison, Hanson, Hoffman, Peterson, Sales.
Total 6

Excused: Daily.
Total 1

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:00 p.m., February 4, 1987.

Motion carried.

House adjourned at 4:05 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

TWENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 4, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Winslow. Pledge of Allegiance to the Flag.

Roll call. All members present except Hannah and Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-sixth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/4/87

Correctly printed: HB 4, HB 207, HB 228, HB 238, HB 297, HB 309, HB 321, HB 322, HB 334, HB 353, HB 386, HB 389, HB 401, HB 402, HB 408, HB 411, HB 533, HB 550, HB 553.

Correctly engrossed: HB 335, HB 388, HB 452.

Correctly enrolled: HB 27.

Examined by the sponsor and found to be correct:

HB 27 - Spaeth

APPROPRIATIONS (Donaldson, Chairman):

2/3/87

HB 3, introduced bill, be amended as follows:

1. Page 6, line 4.

Insert: "Additional Rehabilitation Services 1987 150,000
Federal Special"

2. Page 3.

Following: line 6

Strike: lines 7 through 9

Insert: "Termination Pay 1987 30,000 State Special

These funds may be used only for termination pay for the workers' compensation court if the court is eliminated by the 50th Legislature."

3. Page 6.

Following: line 21

Insert: "State Special 1987 30,000"

4. Page 6, line 22.

Strike: "2,912,031"

Insert: "3,062,031"

5. Page 6, line 24.

Strike: "3,064,095"

Insert: "3,244,095"

And, as amended, do pass. Report adopted.

HB 4, do pass. Report adopted.

2/4/87

HB 357, second reading copy, be amended as follows:

1. Title, line 6.

Following: "IN"

Strike: "ACCORDANCE"

Insert: "SUBSTANTIAL COMPLIANCE"

2. Page 1, line 13.

Following: "agency"

Strike: "may"

Insert: "must"

Following: "made"

Strike: "only in accordance"

Insert: "in substantial compliance"

3. Page 1, line 15.

Following: "."

Insert: "Substantial compliance means that no category in the approved operating budget may be exceeded by 5%."

3a. Page 1, line 19.

Strike: Rehberg's Committee of the Whole amendment, 1/31/87, 15:30, in its entirety

4. Page 1, line 19.

Following: "intent."

Insert: "Legislative intent for the general appropriations act includes a formally adopted narrative that accompanies the act."

5. Page 1, line 21.

Following: "by"

Insert: "the categories of"

6. Page 2, line 2.

Following: "approved"

Strike: "operational plan"

Insert: "operating budget"

7. Page 2.

Following: line 4

Insert: "(3) A person authorizing an expenditure in violation of this section is guilty of misfeasance in office and shall be subject to removal from office or from employment. An action under this subsection may be brought upon complaint of the attorney general or the legislature by joint resolution."

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman):

2/4/87

HB 249, introduced bill, be amended as follows:

1. Title, line 5.

Following: "MINIMUM"

Strike: "FEE"

Insert: "ANNUAL PREMIUM"

2. Title, line 8.

Following: "PROVIDING"

Insert: "AN EFFECTIVE DATE AND"

3. Page 3, line 11.

Following: "minimum"

Insert: "annual"

Following: "premium"

Strike: "fee"

4. Page 3, line 18.

Following: "Section 3."
 Strike: "Applicability"
 Insert: "Effective date — applicability"
 Following: "act"
 Insert: "is effective July 1, 1987, and"

5. Page 3, line 19.
 Following: "insurance"
 Insert: "in force on July 1, 1987, or"

6. Page 3, line 20.
 Following: "after"
 Strike: "October"
 Insert: "July"

And, as amended, do pass. Report adopted.

HB 433, introduced bill, be amended as follows:

1. Page 7, line 8.
 Following: "Section 6."
 Strike: "Motor vehicle."
 Insert: "Definitions. As used in 33-23-201 through 33-23-203 and 33-23-211 through 33-23-216, the following definitions apply:
 (1)"

2. Page 7.
 Following: line 12
 Insert: "(2) "Motor vehicle liability policy" means any policy of automobile or motor vehicle insurance against liability now or hereafter required under Title 61, chapter 6, parts 1 and 3."

3. Page 7, line 22.
 Following: "registered"
 Strike: "or"
 Insert: "and"

4. Page 8, line 5.
 Following: "therefrom"
 Insert: ", caused by an accident arising out of the operation or use of such vehicle. An uninsured motor vehicle is a land motor vehicle, neither the ownership, nor the maintenance, nor the use of which is insured or bonded for bodily injury liability at the time of the accident"

And, as amended, do pass. Report adopted.

HB 439, introduced bill, be amended as follows:

1. Page 1, lines 17 through 19.
 Strike: subsection (1) in its entirety
 Renumber: subsequent subsections
 Renumber: internal references

2. Page 7, line 25.
 Following: "operation"
 Strike: "of"
 Insert: "or"

3. Page 14, line 14.
 Following: "1986"
 Insert: ", in any state of the United States"

4. Page 14, line 17.
Following: "October"
Strike: "26"
Insert: "27"

5. Page 14, line 19.
Following: "October"
Strike: "26"
Insert: "27"

6. Page 14, line 23.
Following: "October"
Strike: "26"
Insert: "27"

7. Page 15, line 11.
Following: "state"
Strike: "in which"
Insert: "where"

8. Page 15, line 12.
Following: "state"
Strike: "in which"
Insert: "where"

9. Page 15, line 18.
Strike: "[this act]"
Insert: "this title"

10. Page 17.
Following: line 8

Insert: "Section 16. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 414, do pass. Report adopted.

HB 440, do pass. Report adopted.

HB 441, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman): 2/4/87

HB 263, do pass. Report adopted.

Adverse Committee Reports

HB 237, do not pass.

HB 477, do not pass.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

2/3/87

HB 261, introduced bill, be amended as follows:

1. Page 1, line 10.
Following: "from"
Strike: "Butte"
Insert: "the Montana-Idaho border at Monida Pass"

And, as amended, do pass. Report adopted.

HB 297, do pass. Report adopted.

Adverse Committee Reports

HB 304, do not pass.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Hayne,
Chairman): 2/4/87

Report the following staff changes:

Termination of Marigail Barham, secretary to Subcommittee on Natural Resources, effective 2/1/87.

Hiring of Ellen Garrity, secretary to Subcommittee on Natural Resources, effective 2/4/87.

LOCAL GOVERNMENT (Wallin, Chairman): 2/4/87

HB 532, introduced bill, be amended as follows:

1. Title, line 5.

Following: "TREASURERS"

Insert: "MUST"

2. Page 1, line 22.

Strike: "The"

Insert: "Upon request the"

Strike: "may also"

Insert: "must"

3. Page 2, line 9.

Strike: "may"

Insert: "must"

4. Page 2, line 10.

Strike: "to"

Insert: "only on request of"

5. Page 2, line 11.

Strike: "elects to issue"

Insert: "issues"

And, as amended, do pass. Report adopted.

HB 563, do pass. Report adopted.

NATURAL RESOURCES (Jones, Chairman): 2/2/87

HB 408, do pass. Report adopted.

Adverse Committee Reports

HB 328, do not pass. Chairman Jones moved to adopt the committee report. Representative Spaeth made a substitute motion that the adverse committee report be rejected and the bill be printed and placed on second reading. After considerable debate, Representative Jones moved the previous question. Motion carried. (50-45)

The Spaeth motion failed. (30-67)

Representative Hannah present at this time.

The adverse committee report was adopted as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Compton, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miller, Nelson, Nisbet,

Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 75

Noes: Addy, Bardanouve, Bulger, Cohen, Connelly, Corne', Fritz, Harrington, Hoffman, Kadas, Manuel, Miles, Nathe, Pavlovich, Pistoria, Rapp-Svrcek, Ream, Spaeth, Squires, Swift, Vincent.

Total 21

Excused: Moore.

Total 1

Absent or not voting: Campbell, O'Connell, Roth.

Total 3

STATE ADMINISTRATION (Sales, Chairman):

2/4/87

Adverse Committee Reports

HB 296, do not pass.

HB 355, do not pass.

HB 445, do not pass.

HB 510, do not pass.

HJR 9, do not pass. Chairman Sales moved to adopt the committee report. Representative Cohen made a substitute motion that the adverse committee report be rejected. Motion failed. (39-60)

The adverse committee report was adopted as follows:

Ayes: Addy, Asay, Brandewie, D. Brown, Campbell, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 61

Noes: Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cobb, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Koehnke, Menahan, Miles, Peck, Poff, Raney, Rapp-Svrcek, Ream, Russell, Spaeth, Squires, Strizich, Vincent, Whalen, Williams.

Total 34

Excused: Moore.

Total 1

Absent or not voting: Cody, Nathe, Schye, Stang.

Total 4

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House:

2/3/87

HB 122, introduced by Peck

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 591**, introduced by Schye, Manuel, Bengtson, Severson, Iverson. Referred to Committee on Agriculture.
- HB 592**, introduced by Harp. Referred to Committee on Judiciary.
- HB 593**, introduced by J. Brown, C. Smith, Rasmussen, Farrell, Grady, Fritz, Boylan, D. Brown. Referred to Committee on Business and Labor.
- HB 594**, introduced by Harrington, D. Brown, Pavlovich, Harp, Stang, Keenan, Driscoll, Lynch, Jacobson, Haffey, Stimatz. Referred to Committee on Business and Labor.
- HB 595**, introduced by Winslow. Referred to Committee on Education and Cultural Resources.
- HB 596**, introduced by Harper, J. Brown, Mercer, Grady. Referred to Committee on Human Services.
- HB 597**, introduced by Addy. Referred to Committee on Rules.
- HB 598**, introduced by Rapp-Svrcek, Mercer, Miles, Van Valkenburg, Cobb, Crippen, Regan, Pinsonneault, D. Brown, Darko. Referred to Committee on Judiciary.
- HB 599**, introduced by Mercer, Brandewie, Connelly, Harding, Meyers. Referred to Committee on Appropriations.
- HB 600**, introduced by Winslow, Cobb. Referred to Committee on Appropriations.
- HB 601**, introduced by Hannah. Referred to Committee on Education and Cultural Resources.
- HB 602**, introduced by Hansen, Spaeth, Squires, Darko, Corne', Fritz, Ream. Referred to Committee on Judiciary.
- HB 603**, introduced by Nathe, Gould, Keenan, Fritz, Swysgood, Gilbert, Ream, Stratford, Patterson, Moore, Harper, Peck, Hoffman, Menke, Squires, Thoft, O'Connell. Referred to Committee on Education and Cultural Resources.
- HB 604**, introduced by Hannah, Rasmussen, Hofman, Kolstad, Koehnke, O'Connell, Peck, Wallin, Keating. Referred to Committee on Judiciary.
- HB 605**, introduced by J. Brown, Russell, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Judiciary.
- HB 606**, introduced by Glaser, Roth, Patterson, Kitselman, Hager, Bengtson. Referred to Committee on Taxation.
- HB 607**, introduced by Keenan, Stang, Schye, Menahan, Winslow, Nathe, Quilici, Harp, Fritz, Cohen, Whalen, Pavlovich, Haffey. Referred to Committee on Highways and Transportation.
- HB 608**, introduced by Thomas. Referred to Committee on Taxation.
- HB 609**, introduced by Thomas. Referred to Committee on State Administration.
- HJR 24**, introduced by Swift, Severson, Ream, Bishop, Jergeson, Boylan. Referred to Committee on Natural Resources.
- HJR 25**, introduced by Kadas. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

- SB 1**, introduced by Anderson, (By Request of the Coal Tax Oversight Subcommittee). Referred to Committee on Taxation.
- SB 2**, introduced by Hager, (By Request of the Joint Interim Subcommittee on Lien Laws). Referred to Committee on Business and Labor.
- SB 3**, introduced by Keating. Referred to Committee on Taxation.
- SB 6**, introduced by Lybeck. Referred to Committee on Human Services.
- SB 11**, introduced by Mazurek. Referred to Committee on Judiciary.

- SB 16**, introduced by Halligan, (By Request of the Interim Subcommittee on Lien Laws). Referred to Committee on Business and Labor.
- SB 20**, introduced by Halligan, (By Request of the Joint Interim Subcommittee on Lien Laws). Referred to Committee on Business and Labor.
- SB 21**, introduced by Story, (By Request of the Administrative Code Committee). Referred to Committee on State Administration.
- SB 23**, introduced by Halligan. Referred to Committee on State Administration.
- SB 24**, introduced by Halligan. Referred to Committee on Judiciary.
- SB 25**, introduced by Gage. Referred to Committee on Judiciary.
- SB 26**, introduced by Hager, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.
- SB 28**, introduced by Lynch. Referred to Committee on Local Government.
- SB 29**, introduced by Lynch, (By Request of the Legislative Council). Referred to Committee on Rules.
- SB 31**, introduced by Jacobson. Referred to Committee on Human Services.
- SB 32**, introduced by Kolstad, (By Request of the Capitol Building and Planning Committee). Referred to Committee on Legislative Administration.
- SB 35**, introduced by E. Smith. Referred to Committee on Education and Cultural Resources.
- SB 38**, introduced by B. Williams. Referred to Committee on Education and Cultural Resources.
- SB 40**, introduced by Halligan. Referred to Committee on Judiciary.
- SB 43**, introduced by Farrell. Referred to Committee on Highways and Transportation.
- SB 46**, introduced by Neuman, (By Request of the Joint Interim Subcommittee on Agricultural Problems). Referred to Committee on Agriculture.
- SB 47**, introduced by Gage, (By Request of the Department of Revenue, the Committee on Indian Affairs, and the Revenue Oversight Committee). Referred to Committee on Taxation.
- SB 48**, introduced by B. Brown, (By Request of the Joint Interim Subcommittee on Liability Issues). Referred to Committee on Judiciary.
- SB 49**, introduced by Thayer, (By Request of the Joint Interim Subcommittee on Liability Issues). Referred to Committee on Judiciary.
- SB 55**, introduced by Story, (By Request of the Joint Interim Subcommittee on Infrastructure). Referred to Committee on Taxation.
- SB 57**, introduced by Halligan. Referred to Committee on Judiciary.
- SB 58**, introduced by Pinsonneault. Referred to Committee on Judiciary.
- SB 59**, introduced by Galt, (By Request of the Joint Interim Subcommittee on Agricultural Problems). Referred to Committee on Business and Labor.
- SB 64**, introduced by Halligan. Referred to Committee on Taxation.
- SB 68**, introduced by Gage. Referred to Committee on Education and Cultural Resources.
- SB 72**, introduced by Himsl, (By Request of the Department of Administration). Referred to Committee on State Administration.
- SB 75**, introduced by Abrams, (By Request of the Department of Justice). Referred to Committee on Highways and Transportation.
- SB 76**, introduced by Abrams, (By Request of the Department of Justice). Referred to Committee on Highways and Transportation.
- SB 78**, introduced by Haffey, (By Request of the Department of Administration). Referred to Committee on Business and Labor.

- SB 80**, introduced by Mazurek. Referred to Committee on Business and Labor.
- SB 83**, introduced by Mazurek, (By Request of the Department of Commerce). Referred to Committee on Business and Labor.
- SB 84**, introduced by Thayer, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.
- SB 88**, introduced by Van Valkenburg. Referred to Committee on Judiciary.
- SB 93**, introduced by Walker, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.
- SB 97**, introduced by Thayer, (By Request of the Department of Commerce). Referred to Committee on Business and Labor.
- SB 98**, introduced by Lynch, (By Request of the Legislative Council). Referred to Committee on Business and Labor.
- SB 102**, introduced by Story. Referred to Committee on Judiciary.
- SB 108**, introduced by Bishop. Referred to Committee on Judiciary.
- SB 110**, introduced by Thayer. Referred to Committee on Business and Labor.
- SB 112**, introduced by Mazurek, (By Request of the Department of Administration). Referred to Committee on Judiciary.
- SB 113**, introduced by Gage. Referred to Committee on Rules.
- SB 114**, introduced by Thayer, (By Request of the Secretary of State). Referred to Committee on Business and Labor.
- SB 119**, introduced by Weeding. Referred to Committee on Judiciary.
- SB 122**, introduced by Crippen, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.
- SB 123**, introduced by Harding. Referred to Committee on State Administration.
- SB 124**, introduced by Harding. Referred to Committee on State Administration.
- SB 125**, introduced by Harding. Referred to Committee on Local Government.
- SB 129**, introduced by Manning. Referred to Committee on Taxation.
- SB 133**, introduced by Bishop. Referred to Committee on Education and Cultural Resources.
- SB 134**, introduced by Beck, (By Request of the Department of Institutions). Referred to Committee on Judiciary.
- SB 144**, introduced by Blaylock, (By Request of the Department of Institutions). Referred to Committee on Judiciary.
- SB 149**, introduced by Manning. Referred to Committee on State Administration.
- SB 153**, introduced by Walker, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.
- SB 165**, introduced by McCallum, (By Request of the Department of State Lands). Referred to Committee on State Administration.
- SJR 1**, introduced by Gage, (By Request of the Committee on Indian Affairs). Referred to Committee on Human Services.
- SJR 3**, introduced by Gage. Referred to Committee on State Administration.
- SJR 4**, introduced by Keating. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Kennerly in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 69 - Representative Hayne moved that HB 69 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Connelly, Devlin, Giacometto, Hannah, Swift, Switzer.

Total 6

Excused: Moore.

Total 1

Absent or not voting: Cobb, Whalen.

Total 2

HB 143 - Representative Harper moved that HB 143 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Meyers.

Total 1

Excused: Moore.

Total 1

Absent or not voting: Cobb, Kennerly, O'Connell.

Total 3

HB 206 - Representative McCormick moved that HB 206 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kitselman, Koehnke, Lory, McCormick,

Manuel, Menahan, Menke, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.
Total 79

Noes: Addy, Bardanouve, Cohen, Connelly, Ellison, Glaser, Hannah, Harper, Hayne, Keller, Mercer, Meyers, Nelson, Peterson, Sales, Spaeth, Thoft, Wallin.
Total 18

Excused: Moore.
Total 1

Absent or not voting: Kennerly, Swift.
Total 2

HB 234 - Representative Menahan moved that HB 234 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 93

Noes: Bardanouve, Brandewie, Grady, Jones, Meyers, Switzer.
Total 6

Excused: Moore.
Total 1

Absent or not voting: None.
Total 0

HB 235 - Representative Addy moved that HB 235 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 99

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 253 - Representative Ream moved that HB 253 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 273 - Representative Sands moved that HB 273, second reading copy, be amended as follows:

Statement of Intent

HB 273

A statement of intent is required for this bill because it allows the superintendent of public instruction to adopt rules for the calculation of tuition for full-time special education pupils. The legislature recognizes that special education pupils are not considered in the count of average number belonging (ANB) for a district and generate more costs than the regular ANB. Therefore, such pupils necessitate a more individualized calculation for determining education costs that can be used for tuition purposes.

It is the intent of the legislature that the superintendent of public instruction adopt rules that:

- (1) help school districts determine the cost of education for various types of special education pupils for tuition purposes; and
- (2) consider a district's excess costs beyond what is funded by state and federal sources.

Statement of intent was adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller,

Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Moore.
Total 1

Absent or not voting: Compton, Iverson.
Total 2

Representative Nelson moved that HB 273, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Moore.
Total 1

Absent or not voting: None.
Total 0

Representative Moore present at this time.

HB 302 - Representative Bradley moved that HB 302 do pass. After debate, Representative Cohen made a substitute motion that HB 302, second reading copy, be amended. Amendment failed. (42-58)

Representative Driscoll made a substitute motion that HB 302, second reading copy, be amended. Amendment failed. (45-54)

Representative Whalen made a substitute motion that HB 302, second reading copy, be amended as follows:

1. Page 2, line 3.

Following: "hearing"

Insert: "in the community where the facility is situated"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke,

McCormick, Manuel, Menahan, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Swysgood, Thoft, Thomas, Vincent, Whalen.

Total 53

Noes: Asay, Bradley, Brandewie, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Wallin, Williams, Winslow, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Whalen moved that HB 302, second reading copy, be further amended. Amendment failed. (37-63)

Representative Ramirez excused at this time.

Representative Whalen moved that HB 302, second reading copy, be further amended. Amendment failed. (36-64)

Representative Whalen moved that HB 302, second reading copy, be further amended. Amendment failed. (34-65)

Representative Simon excused at this time.

HB 302, as amended, passed as follows:

Ayes: Asay, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nelson, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Thoft, Wallin, Williams, Winslow.

Total 56

Noes: Addy, Bachini, Bardanouve, D. Brown, Cobb, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Fritz, Gould, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, McCormick, Menahan, Miles, Moore, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Strizich, Swysgood, Thomas, Vincent, Whalen, Mr. Speaker.

Total 44

Paired: Ramirez, Simon, Ayes; Harper, Menahan, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Simon present at this time.

HB 308 - Representative Miles moved that HB 308 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 97

Noes: None.
Total 0

Excused: Ramirez.
Total 1

Absent or not voting: Russell, Mr. Speaker.
Total 2

HB 320 - Representative Hansen moved that HB 320 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Ramirez.
Total 1

Absent or not voting: None.
Total 0

Representative Ramirez present at this time.

HB 326 - Representative Addy moved that HB 326 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck,

Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Gould, Sands, Wallin.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 345 - Representative McCormick moved that HB 345 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Swysgood, Thomas.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 363 - Representative Hoffman moved that HB 363 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Harp, Kadas.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kennerly moved the adoption of the committee report. Report adopted. (78-20)

MESSAGES FROM THE OTHER HOUSE

The Senate, on 4/4/87, failed to concur in House amendments to SJR 6 and appointed a free conference committee, requesting that the House appoint a like committee to confer on SJR 6.

The President appointed the following members:

Senator McCallum, Chairman

Senator Farrell

Senator Van Valkenburg

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on SJR 6. Motion carried.

The Speaker appointed the following representatives:

Representative Hannah

Representative Iverson

Representative Vincent

Representative Fritz moved that the rules be suspended to allow the late introduction of a bill regarding tenants and landlords. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 335 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Campbell, Cobb, Giacometto, Meyers, Miller, Nelson, Peterson, Simon.

Total 8

Excused: None.

Total 0

Absent or not voting: Ellison.

Total 1

HB 374 passed as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 75

Noes: Addy, Bardanouve, Cobb, Cohen, Connelly, Ellison, Gilbert, Glaser, Hannah, Hansen, Hayne, Kadas, Keller, Menke, Mercer, Meyers, Nelson, Poff, Ramirez, Sales, Stratford, Thoft, Wallin, Whalen.

Total 24

Excused: None.

Total 0

Absent or not voting: Pavlovich.

Total 1

HB 388 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Ellison, Hannah, Koehnke, Manuel, Peck, Peterson, Stang, Swift, Switzer, Swysgood.

Total 10

Excused: None.

Total 0

Absent or not voting: Connelly.

Total 1

HB 452 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon,

Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:00 p.m., February 5, 1987.

Motion carried.

House adjourned at 6:05 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

TWENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 5, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Reverend Jessica Crist. Pledge of Allegiance to the Flag.

Roll call. All members present except Donaldson and Peterson, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 2/5/87
Correctly printed: HB 3, HB 249, HB 261, HB 263, HB 357, HB 414, HB 433, HB 439, HB 440, HB 441, HB 532, HB 563.
Correctly engrossed: HB 69, HB 143, HB 206, HB 234, HB 235, HB 253, HB 273, HB 302, HB 308, HB 320, HB 326, HB 345, HB 363.
Correctly enrolled: HB 122.
Examined by the sponsor and found to be correct:
HB 122 - Peck
Signed by the Speaker at 6:10 p.m., 2/4/87: HB 27.
Delivered to the Governor for his approval at 1:26 p.m.: HB 27.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman): 2/4/87

Adverse Committee Reports

HB 237, do not pass. Chairman Sands moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Williams, Winslow, Mr. Speaker.
Total 74

Noes: D. Brown, Bulger, Cohen, Connelly, Corne', Daily, DeMars, Driscoll, Fritz, Gould, Harrington, Kadas, Keenan, Kennerly, Pavlovich, Phillips, Russell, Strizich, Vincent, Whalen.
Total 20

Excused: Donaldson, Peterson.
Total 2

Absent or not voting: Moore, Pistoria, Poulsen, Wallin.
Total 4

HB 477, do not pass. Chairman Sands moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Daily, Darko, Devlin, Driscoll, Ellison, Eudaily, Glaser, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles,

Miller, Moore, Nelson, Nisbet, O'Connell, Phillips, Pistoria, Poff, Poulsen, Quilici, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 72

Noes: Addy, Bachini, Bardanouve, Brandewie, Cobb, Connelly, Corne', DeMars, Fritz, Giacometto, Gilbert, Gould, Hanson, Jenkins, Kadas, Nathe, Patterson, Pavlovich, Peck, Ramirez, Raney, Ream, Sales, Spaeth, Strizich, Mr. Speaker.

Total 26

Excused: Donaldson, Peterson.

Total 2

Absent or not voting: None.

Total 0

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 2/5/87

HB 359, do pass. Report adopted.

Adverse Committee Reports

HB 304, do not pass. Chairman Harp moved to adopt the committee report. Representative Pistoria made a substitute motion to reject the adverse committee report. Motion failed. (45-52) 2/3/87

Adverse committee report was adopted as follows:

Ayes: Addy, Asay, Brandewie, Campbell, Cobb, Cohen, Compton, Devlin, Driscoll, Ellison, Eudaily, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jones, Keenan, Keller, Kitselman, Lory, Meyers, Miles, Miller, Nathe, Nelson, Phillips, Quilici, Ramirez, Rehberg, Russell, Sales, Simon, Smith, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Whalen, Williams, Winslow, Mr. Speaker.

Total 52

Noes: Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Connelly, Corne', Daily, Darko, DeMars, Fritz, Giacometto, Glaser, Hansen, Harper, Harrington, Jenkins, Kadas, Kennerly, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Roth, Sands, Spaeth, Strizich, Vincent, Wallin.

Total 44

Excused: Donaldson, Peterson.

Total 2

Absent or not voting: Moore, Schye.

Total 2

HUMAN SERVICES AND AGING (Gould, Chairman): 2/5/87

HB 480, do pass. Report adopted.

HB 489, do pass. Report adopted.

Adverse Committee Reports

HB 327, as amended, do not pass.

JUDICIARY (Lory, Chairman): 2/5/87

HB 283, introduced bill, be amended as follows:

1. Page 2, line 9.

Following: "state, a"

Insert: "resident"

2. Page 2, line 10.

Strike: "may"

Insert: "shall"

3. Page 2, line 11.

Strike: "before"

Insert: "unless"

4. Page 2, line 12.

Strike: "has" through "for" on line 12

Insert: "upon order of the court after notice to the noncustodial parent and a"

5. Page 3, line 13.

Following: "parent,"

Insert: "or"

Strike: lines 14 and 15

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/5/87

HB 469, do pass. Report adopted.

HB 484, do pass. Report adopted.

Adverse Committee Reports

HB 296, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows: 2/4/87

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Ellison, Eudaily, Giacometto, Grady, Grinde, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Menke, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.
Total 65

Noes: Bachini, Cohen, Connelly, Driscoll, Fritz, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Mercer, Nisbet, Patterson, Pavlovich, Peck, Pistoria, Quilici, Ream, Sales, Swift, Whalen, Winslow.
Total 29

Excused: Donaldson, Peterson.
Total 2

Absent or not voting: Asay, Moore, Poulsen, Squires.
Total 4

HB 355, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe,

Nelson, Nisbet, O'Connell, Patterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Bachini, D. Brown, Bulger, Connelly, Fritz, Hansen, Harper, Harrington, Kadas, McCormick, Pavlovich, Peck, Pistoria, Raney, Schye, Stratford, Strizich.

Total 17

Excused: Donaldson, Peterson.

Total 2

Absent or not voting: None.

Total 0

HB 445, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Daily, Darko, DeMars, Devlin, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Rapp-Svrcek, Ream, Roth, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 73

Noes: Bachini, Bardanouve, Bulger, Cobb, Cohen, Connelly, Corne', Driscoll, Fritz, Hannah, Hansen, Harper, Kadas, Miles, Peck, Quilici, Ramirez, Raney, Rehberg, Russell, Spaeth, Strizich, Vincent, Whalen.

Total 24

Excused: Donaldson, Peterson.

Total 2

Absent or not voting: Ellison.

Total 1

HB 481, do not pass.

2/5/87

HB 510, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

2/4/87

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Bulger, Cohen, Connelly, Giacometto, Hoffman, Kadas, Mercer, Miles, Nathe, Wallin.

Total 10

Excused: Donaldson, Peterson.

Total 2

Absent or not voting: None.

Total 0

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

February 5, 1987

Dear Mr. Speaker:

This is to inform you that I have signed House Bills No. 11, 12, 22, 34, 48, 50, and 63 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

2/4/87

HB 106, introduced by Kadas

HB 132, introduced by Fritz

HB 140, introduced by Bardanouve

HB 153, introduced by Bardanouve

HB 176, introduced by Bardanouve

MOTIONS

Representative Spaeth moved that the House reconsider its action in adopting the adverse committee report on HB 328 on the 27th legislative day. Motion failed. (46-50)

Representative Harper moved that consideration of HB 348 on second reading be passed until the 31st legislative day. Motion carried.

Representative Ream moved that the rules be suspended to allow the late drafting and introduction of a bill for bonding authority to provide matching funds for superfund cleanup. Motion carried.

Representative Moore moved that Compton, Halligan, and Pavlovich be added as sponsors to HB 547. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 610, introduced by D. Brown, Menahan, Harrington, Stang, Van Valkenburg, Haffey, Manning, Harper, Squires, Driscoll, Corne', Daily, Quilici, O'Connell, Strizich, Story, Walker, Pavlovich, Pinsoneault, Stimat, Whalen, Manuel. Referred to Committee on Judiciary.

HB 611, introduced by D. Brown, Donaldson, Iverson, Walker, Norman, Stimatz, Boylan, Ellison, Bradley, Vincent, Jacobson, Harrington, Van Valkenburg, Eck, Lynch, Farrell, B. Brown, Squires, Pinsoneault, Menahan, Pavlovich, Halligan, Ramirez, Daily, Quilici, Rasmussen, Crippen. Referred to Committee on Appropriations.

HB 612, introduced by Roth, Glaser, Patterson, Kitselman, Hager, Spaeth, Bengtson, Iverson. Referred to Committee on Local Government.

HB 613, introduced by Schye. Referred to Committee on Human Services.

HB 614, introduced by Miller, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services.

HB 615, introduced by Cody, (By Request of the Board of Medical Examiners). Referred to Committee on Human Services.

HB 616, introduced by Spaeth. Referred to Committee on Natural Resources.

HB 617, introduced by Vincent, Harp, Harper, Hansen. Referred to Committee on Taxation.

HB 618, introduced by Rapp-Svrcek, Darko, C. Smith, Stang, Driscoll. Referred to Committee on Business and Labor.

HB 619, introduced by Giacometto, Fritz, Lory. Referred to Committee on Education and Cultural Resources.

HB 620, introduced by Giacometto. Referred to Committee on Agriculture.

HB 621, introduced by Quilici, Van Valkenburg, Lory, Lynch, Donaldson, Haffey. Referred to Committee on Appropriations.

HB 622, introduced by Brandewie, (By Request of the State Auditor). Referred to Committee on Business and Labor.

HB 623, introduced by Harrington, Lynch, O'Connell, Gould, Driscoll, Pavlovich, Hansen, Squires, Harper, Haffey, Walker, Jacobson, Manning, Boylan. Referred to Committee on Business and Labor.

HB 624, introduced by M. Williams. Referred to Committee on Local Government.

HB 625, introduced by Hansen, Squires, Harper, Corne', Connelly, Moore. Referred to Committee on Local Government.

HB 626, introduced by Fritz. Referred to Committee on Business and Labor.

HB 627, introduced by Strizich, Halligan, Nisbet, Bulger, Miller, Haffey, Manning, Quilici, Walker, Hansen. Referred to Committee on Human Services.

HB 628, introduced by DeMars, Cody, M. Williams, Weeding, Jenkins, Hirsch, Abrams, B. Williams, Schye, Poff, Manuel, Yellowtail, Neuman, Holliday, Strizich, Giacometto, Koehnke, Patterson, Devlin, Nathe, Russell, Spaeth, Asay, Keller, Cobb, Grady, Grinde. Referred to Committee on Agriculture.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Devlin in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 207 - Representative Addy moved that HB 207 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Hoffman, Nathe, Swift, Swysgood.
Total 4

Excused: Donaldson, Peterson.
Total 2

Absent or not voting: Ellison, Fritz, Pavlovich, Rapp-Svrcek.
Total 4

HB 228 - Representative Swysgood moved that HB 228, second reading copy, be amended as follows:

1. Page 1, line 24.

Strike: "INCLUDING"

Insert: "concurrently with"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Donaldson, Peterson.
Total 2

Absent or not voting: None.
Total 0

Representative Swysgood moved that HB 228, as amended, do pass.
Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer,

Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Addy, Campbell, Corne', Giacometto, Hannah, Hayne.

Total 6

Excused: Donaldson, Peterson.

Total 2

Absent or not voting: None.

Total 0

HB 238 - Representative Bradley moved that HB 238 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cody, Holliday, Jenkins, Meyers.

Total 4

Excused: Donaldson, Peterson.

Total 2

Absent or not voting: None.

Total 0

HB 297 - Representative Kadas moved that HB 297 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 93

Noes: Hannah, Jenkins, Meyers, Mr. Speaker.

Total 4

Excused: Donaldson, Peterson.

Total 2

Absent or not voting: Jones.

Total 1

HB 309 - Representative Quilici moved that HB 309 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 90

Noes: Campbell, Hannah, Sales, Swysgood, Mr. Speaker.

Total 5

Excused: Donaldson, Peterson.

Total 2

Absent or not voting: Cobb, Miller, Ream.

Total 3

HB 321 - Representative Bulger moved that HB 321 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Bulger, Ramirez.

Total 2

Excused: Donaldson, Peterson.

Total 2

Absent or not voting: None.

Total 0

HB 322 - Representative Eudaily moved that HB 322 do pass. After debate, Representative Kadas made a substitute motion that HB 322 be placed below HB 334 on the second reading board for an amendment. Motion failed. (45-48)

Representative Kadas made a substitute motion that HB 322, second reading copy, be amended. Finding error, Representative Kadas withdrew the amendment.

Representative Marks made a substitute motion that consideration of HB 322 be passed for the day for the purpose of an amendment. Motion carried.

HB 334 - Representative Keenan moved that HB 334 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Donaldson, Peterson.

Total 2

Absent or not voting: Ellison.

Total 1

Representative Peck excused at this time.

HB 353 - Representative Gould moved that HB 353 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Addy, Kadas.

Total 2

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: Ream.

Total 1

HB 386 - Representative Cody moved that HB 386 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Asay, Ellison, Giacometto, Hannah.
Total 4

Excused: Donaldson, Peck, Peterson.
Total 3

Absent or not voting: Connelly, Jenkins, Mercer, Squires.
Total 4

HB 389 - Representative Harp moved that consideration of HB 389 be passed for the day because Representative Brandewie, the sponsor, was out of the chambers. Motion carried.

HB 401 - Representative Quilici moved that HB 401 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Asay, Cohen, Harper, Hoffman, Kadas, Sales, Switzer.
Total 7

Excused: Donaldson, Peck, Peterson.
Total 3

Absent or not voting: Eudaily.
Total 1

HB 402 - Representative Strizich moved that HB 402 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici,

Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Asay.

Total 1

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: Hansen, Harper.

Total 2

HB 411 - Representative Harp moved that HB 411 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: Harper, Phillips.

Total 2

HB 533 - Representative Campbell moved that HB 533 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Giacometto, Rehberg.

Total 2

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: Bulger, Kadas, Pavlovich.

Total 3

HB 550 - Representative Ramirez moved that HB 550 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Cohen, Hansen, Pavlovich, Spaeth, Squires.

Total 5

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: Nelson.

Total 1

HB 553 - Representative Simon moved that HB 553 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: D. Brown, Cohen, Nisbet.

Total 3

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Devlin moved the adoption of the committee report. Report adopted. (97-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 69 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Corne', Daily, Darko, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoht, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Cobb, Connelly, DeMars, Devlin, Giacometto, Grinde, Hannah, Swift, Switzer.

Total 9

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: Ellison, Hoffman, Roth.

Total 3

HB 143 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoht, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: Russell.

Total 1

HB 206 passed as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Addy, Bardanouve, Connelly, Ellison, Hannah, Harper, Hayne, Keller, Mercer, Meyers, Nelson, Ramirez, Sales, Thoft, Wallin.

Total 15

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: None.

Total 0

HB 234 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Bardanouve, Brandewie, Giacometto, Grady, Harp, Jones, Meyers.

Total 7

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: None.

Total 0

HB 235 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: None.

Total 0

HB 253 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: Asay.

Total 1

HB 308 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: None.

Total 0

HB 320 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: None.

Total 0

HB 326 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Gould, Sands, Wallin.

Total 3

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: None.

Total 0

HB 345 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Campbell, Nathe, Swysgood.

Total 3

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: None.

Total 0

HB 363 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Donaldson, Peck, Peterson.

Total 3

Absent or not voting: D. Brown, Cody, Menke.

Total 3

MOTIONS

Representative Winslow moved that HB 309 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Brandewie moved that HB 389 be taken from second reading and rereferred to the Committee on Business and Labor for amendment. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks announced that Representative Mary Lou Peterson suffered an acute attack of appendicitis last night and was in St. Peter's Hospital and was reportedly doing well.

Representative Hannah moved that the House adjourn until 3:00 p.m., February 6, 1987.

Motion carried.

House adjourned at 5:25 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

TWENTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 6, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Corne'. Pledge of Allegiance to the Flag.

Roll call. All members present except Peck, Peterson, and the Committee on Education, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twenty-seventh and twenty-eighth legislative days, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 2/6/87
Correctly printed: HB 283, HB 359, HB 428, HB 469, HB 480, HB 484, HB 489.
Correctly engrossed: HB 207, HB 228, HB 238, HB 297, HB 321, HB 334, HB 353, HB 386, HB 401, HB 402, HB 411, HB 533, HB 550, HB 553.
Signed by the Speaker at 5:45 p.m., 2/5/87: HB 122.
Delivered to the Governor for his approval at 10:41 a.m.: HB 122.

APPROPRIATIONS (Donaldson, Chairman): 2/5/87
HB 573, introduced bill, be amended as follows:

1. Page 1, line 13.
Following: "which"
Insert: "would cause"
2. Page 1, line 14.
Following: "(1)"
Insert: "all general fund appropriations to"
Following: "exceed"
Insert: "the unreserved fund balance and the"
Following: "anticipated"
Insert: "general fund"
Following: "revenue"
Strike: "to the general fund"
3. Page 1, line 17.
Following: "(2)"
Strike: "would cause"

And, as amended, do pass. Report adopted.

Adverse Committee Reports 2/6/87
HB 180, do not pass.

BUSINESS AND LABOR (Kitselman, Chairman): 2/6/87
HB 569, do pass. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman): 2/6/87
HB 549, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 2/6/87
HB 427, do pass. Report adopted.
HB 485, do pass. Report adopted.

Adverse Committee Reports

HB 306, do not pass.**HB 447**, do not pass.**HB 498**, do not pass.**HJR 12**, do not pass.

TAXATION (Ramirez, Chairman):

2/5/87

HB 102, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "8,001"

Insert: "42,001"

2. Title, line 7.

Following: "FOR"

Insert: "CHEMICAL AND NONCHEMICAL"

3. Title, line 7.

Following: "MANAGEMENT;"

Insert: "REVISING THE PERMITTED USE OF NOXIOUS WEED MANAGEMENT FUNDS; AMENDING SECTION 80-7-814, MCA;"

4. Page 2, line 10.

Strike: "8,001"

Insert: "42,001"

5. Page 2, line 20.

Following: "proceeds."

Strike: "Proceeds"

Insert: "Three percent of the proceeds"

6. Page 2, line 21.

Following: "[section 1]"

Insert: "may be retained by the county treasurer for costs of collection. The remainder"

7. Page 2, line 23.

Following: "(3)."

Insert: "Twenty-five percent of the money deposited in the special revenue fund under this section must be used for research and development of nonchemical methods of weed management."

Section 3. Section 80-7-814, MCA, is amended to read:

"80-7-814. Administration and expenditure of funds. (1) Money deposited in the noxious weed management trust fund may not be committed or expended until the principal reaches \$2,500,000, except as provided by 80-7-815 in case of a noxious weed emergency. Once this amount is accumulated, any interest or revenue generated by the trust fund and by other funding measures provided by this part must be deposited in the special revenue fund and may be expended for noxious weed management projects in accordance with this section, so long as the principal of the trust fund remains at least \$2,500,000.

(2) The department may expend funds under this section through grants or contracts to communities, weed control districts, or other entities it considers appropriate for noxious weed management projects. A project is eligible to receive funds only if the county in which the project occurs has significantly funded its own weed management program with a levy in an amount not less than 1.6 mills or an equivalent amount from another source.

(3) The department may expend funds without the restrictions specified in subsection (2) for the following:

(a) employment of a new and innovative noxious weed management project or the development, implementation, or demonstration of any noxious weed management project that may be proposed, implemented, or established by local, state, or national organizations, whether public or private. Such expenditures must be on a cost-share basis with such organizations.

(b) cost-share noxious weed management programs with local weed control districts;

(c) special grants to local weed control districts to eradicate or contain significant noxious weeds newly introduced into the county. These grants may be issued without matching funds from the district.

(d) costs of collecting the surcharge imposed by 80-7-812, not to exceed 3% of the total surcharge proceeds; ~~and~~

(e) administrative expenses incurred by the noxious weed management advisory council; and

(f) any project recommended by the noxious weed management advisory committee, if the department determines the project will significantly contribute to the management of noxious weeds within the state.

(4) In making such expenditures, the department must give preference to weed control districts and community groups.

(5) If the noxious weed management trust fund is terminated by law, the money in the fund must be divided between all counties according to rules adopted by the department for that purpose.””

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 428, do pass. Report adopted.

Adverse Committee Reports

HB 160, do not pass.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House:

2/5/87

HB 30, introduced by Kitselman

MOTIONS

Representative Eudaily moved that HB 322 be taken from second reading and rereferred to the Committee on Judiciary. Motion carried.

Representative Miller moved that HB 414 be taken from second reading and rereferred to the Committee on Judiciary. Motion carried.

Representative Moore moved that Cohen, Kadas, Harper, Bardanoue, Darko, Cody, Strizich, DeMars, Miles, and Corne' be added as sponsors to HB 547. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 2**, introduced by Donaldson, (By Request of the Office of Budget and Program Planning). Referred to Committee on Appropriations.
- HB 629**, introduced by Ream, Grady, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.
- HB 630**, introduced by Peck, Donaldson, Cobb. Referred to Committee on Education and Cultural Resources.
- HB 631**, introduced by Hayne, Hofman, Hanson, Iverson, Gage, Weeding, Keating, Devlin, Thayer, Anderson, Cobb, Manning, Hannah, Halligan, Phillips. Referred to Committee on Natural Resources.
- HB 632**, introduced by Whalen, Addy. Referred to Committee on Business and Labor.
- HB 633**, introduced by Menahan, Miller. Referred to Committee on Judiciary.
- HB 634**, introduced by Ellison. Referred to Committee on Taxation.
- HB 635**, introduced by Simon, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Appropriations.
- HB 636**, introduced by Winslow. Referred to Committee on Judiciary.
- HB 637**, introduced by Winslow. Referred to Committee on Human Services.
- HB 638**, introduced by Addy. Referred to Committee on Local Government.
- HB 639**, introduced by Corne', Bradley. Referred to Committee on Local Government.
- HB 640**, introduced by Swift. Referred to Committee on Business and Labor.
- HB 641**, introduced by Menahan, Keenan, Daily, Miller. Referred to Committee on Human Services.
- HB 642**, introduced by Spaeth, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.
- HB 643**, introduced by Lory, C. Smith, Jones, Harper, Ream, Fritz, Raney, Bradley, Vincent. Referred to Committee on Taxation.
- HB 644**, introduced by Nathe. Referred to Committee on State Administration.
- HB 645**, introduced by D. Brown, Ellison, Marks, Keller, Grady, Spaeth, Iverson, McLane, Hammond. Referred to Committee on Natural Resources.
- HJR 26**, introduced by Winslow, Harp, Brandewie, Thoft, Ellison, Connelly, Eudaily, Darko, Vincent, Patterson, Hoffman, Grady, Menke, Nathe, Swift, Thomas, Jenkins, O'Connell, Meyers, McCormick, Peck, Pistoria, J. Brown, Moore, Hannah, Iverson, Roth, Simon, Harrington, Compton, M. Williams, Ream, Harper, Corne', Russell, Spaeth, Daily, Pavlovich, Fritz, Manuel, Whalen, Ramirez, Kitselman, Gilbert, Holliday, Giacometto, Asay, Rapp-Svrcek, Nisbet, Gould, Bardanouve, Meyer, Peterson, Keller, Donaldson, Menahan, Poff, Rasmussen, Keating, Quilici, Marks, Addy, Rehberg, Sands, Nelson, Wallin, Hayne, Bulger, Poulsen, McLane, Bishop. Referred to Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Cohen in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 3 - Representative Donaldson moved that consideration of HB 3 be placed below HB 263 on the second reading board for an amendment. Motion carried.

Representative Peck and Committee on Education returning at this time.

HB 4 - Representative Thoft moved that HB 4 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 85

Noes: Asay, Cobb, Driscoll, Ellison, Giacometto, Meyers, Phillips, Sales, Squires.
Total 9

Excused: Peterson, Stratford, Williams.
Total 3

Absent or not voting: Donaldson, Eudaily, Kadas.
Total 3

HB 249 - Representative Kitselman moved that HB 249 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Peterson.
Total 1

Absent or not voting: Ramirez.
Total 1

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Cohen moved the adoption of the committee report. Report adopted.

SPECIAL ORDERS OF THE DAY

Speaker Marks asked Representatives Hannah and Rehberg to escort the distinguished guest to the rostrum. The Speaker gave the following introduction:

In 1962, at the age of 30, he was elected to the U.S. Congress from Illinois. In 1969, he resigned from the Congress to join the President's cabinet. He served first as Director of the Office of Economic Opportunity and later as Director of the Economic Stabilization Program and Counselor to the President.

In January, 1973, he was posted to Brussels, Belgium as U.S. Ambassador to NATO.

He served as White House Chief of Staff and, from 1975 to 1977, as the 13th Secretary of Defense.

In 1977, Mr. Rumsfeld was awarded the Presidential Medal of Freedom.

Currently, he is a Senior Advisor to William Blair and Co., and is a board member of the Kellogg Co., Sears Roebuck, Union Camp, and Vulcan Materials.

It is a distinct honor and a great pleasure to introduce to you, the Honorable Don Rumsfeld.

Mr. Rumsfeld addressed the assembly and the Speaker asked Representatives Hannah and Rehberg to escort him from the chambers.

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman): 2/6/87

HB 517, introduced bill, be amended as follows:

1. Page 2, line 20.

Following: "Montana"

Insert: ", including federal and state agency obligations"

2. Page 3, line 10.

Following: "Montana"

Insert: ", including federal and state agency obligations"

3. Page 5, line 1.

Following: "Montana"

Insert: ", including federal and state agency obligations"

4. Page 5, line 19.

Following: "Montana"

Insert: ", including federal and state agency obligations,"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman):

2/6/87

HB 232, introduced bill, be amended as follows:

1. Title, line 8.

Following: "FEES;"

Insert: "AND"

Following: "15-31-524"

Strike: "30-13-217, 30-13-320,"

2. Title, lines 9 and 10.

Strike: "35-2-1001," on line 9

Following: "MCA" on line 9

Strike: remainder of line 9 and line 10 through "MCA"

3. Page 2.

Following: line 15 on page 2

Strike: sections 2 and 3 in their entirety

Renumber: subsequent sections

4. Page 4.

Following: line 9 on page 4

Strike: subsection (3) and section 5 in their entirety

Renumber: subsequent sections

5. Page 7, lines 22 and 23.

Strike: section 8 in its entirety

And, as amended, do pass. Report adopted.

HB 372, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 5.

Following: line 7

Insert: "NEW SECTION. Section 2. Effective date. This act is effective May 1, 1987."

And, as amended, do pass. Report adopted.

HB 381, introduced bill, be amended as follows:

1. Title, line 6.

Following: "COSMETOLOGISTS"

Insert: "AND BARBERS"

2. Title, line 6.

Following: "SPACE"

Insert: ","

3. Title.

Following: line 6

Insert: "FURNITURE,"

Following: "OR"

Strike: "EQUIPMENT"

Insert: "FIXTURES"

4. Page 4, lines 8 through 13.

Following: "a" on line 8

Strike: remainder of line 8, lines 9 through 12 in their entirety, and line 13 through "earnings"

Insert: "cosmetologist who is licensed under Title 37, chapter 31, or a barber who is licensed under Title 37, chapter 30 and who has acknowledged in writing that he is not covered by unemployment insurance and workers' compensation and who contracts with a cosmetological establishment as defined in 37-31-101 or a barbershop as defined in 37-30-101, which contract shall show the cosmetologist or barber is free from all control and direction of the owner in the contract and in fact; receives payment for services from his or her individual clientele; leases, rents, or furnishes all of his or her own equipment, skills, or knowledges; and whose contract gives rise to an

action for breach of contract in the event of contract termination (the existence of a single license for the cosmetological establishment or barbershop shall not be construed as a lack of freedom from control or direction under this subsection)"

5. Page 7, line 18.

Following: "district"

Strike: ","

Insert: ";

6. Page 7.

Following: line 18

Insert: "(i) cosmetologist's services as defined in 39-51-204(1)(l)."

7. Page 8, lines 1 and 2.

Following: "home"

Strike: remainder of line 1 and line 2 through "39-51-204(1)(l)"

And, as amended, do pass. Report adopted.

HB 437, introduced bill, be amended as follows:

1. Page 1, lines 16 and 17.

Following: "hearing" on line 16

Strike: remainder of line 16 and line 17 through "may"

2. Page 1, line 17.

Following: "may"

Insert: ";(b)"

Following: "temporary"

Insert: "cease and desist"

3. Page 1, lines 19 through 21.

Strike: lines 19 through 21 in their entirety

Insert: "If the commissioner issues a temporary cease and desist order, the respondent has 15 days from receipt of the order to make a written request for a hearing on the allegations contained in the order. The hearing must be held within 20 days of the commissioner's receipt of the hearing request unless the time is extended by agreement of the parties. If the respondent does not request a hearing within 15 days of receipt of the order and the commissioner does not order a hearing, the order becomes final."

Renumber: subsequent subsection

4. Page 2, lines 5 through 7.

Following: "bond." on line 5

Strike: remainder of line 5, and lines 6 and 7 in their entirety

5. Page 2, lines 8 through 13.

Following: "(2)" on line 8

Strike: remainder of line 8, and lines 9 through 13 in their entirety

Insert: "If a hearing is held on a cease and desist order, both parties have 20 days from the date the hearing is concluded or from the date a transcript of the hearing is filed if one is requested, to submit proposed findings of fact, conclusions of law, orders, and supporting briefs to the hearing examiner. The parties have an additional 10 days within which to submit comments on the opposing party's proposed findings of fact, conclusions of law, order, and briefs. A final order must issue within 30 days of the submission of the comments."

And, as amended, do pass. Report adopted.

HB 432, as amended, do not pass.

FISH AND GAME (Ellison, Chairman):

2/3/87

HB 329, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "THE"

Insert: "CERTAIN"

Following: "OF"

Strike: "CERTAIN"

2. Page 1, line 14.

Following: "for"

Insert: "each"

3. Page 1, lines 24 and 25.

Strike: "and" through "starlings"

Insert: "and turkeys"

4. Page 2.

Following: line 2

Insert: "Section 2. Finding required. Before restitution may be ordered pursuant to [section 1], the finder of fact at trial or the court upon entry of a guilty plea must find that such illegal killing or possession was done knowingly or purposely as defined in 45-2-101."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman):

2/5/87

HB 327, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "PERFORM"

Insert: "ORDER"

2. Page 2, line 16.

Following: "(2)"

Insert: "(a)"

3. Page 2, line 17.

Following: "shall,"

Insert: "after consultation with the parents, order that"

4. Page 2, line 18.

Strike: "perform"

Following: "autopsy"

Insert: "be performed"

5. Page 2, line 19.

Strike: "a parent"

Insert: "the parents"

Strike: "objects"

Insert: "object"

6. Page 2.

Following: line 21

Insert: "(b) For the purposes of consultation about and objecting to an autopsy in subsection (a), the parents are:

(i) both parents if the parents are married to each other, or are divorced with joint custody of the deceased infant and both are within the state;

(ii) the custodial parent if the parents never married, one parent is deceased, the parents are divorced with custody awarded to one parent, or the parents are divorced with joint custody but one parent is not within the state;

(iii) the person or persons who were legal guardians of the living infant.”

And, as amended, do not pass. Representative Gould moved to adopt the committee report.

Representative Bulger made a substitute motion that the adverse committee report be rejected and the bill be printed and placed on second reading. The Bulger motion carried. (67-32)

JUDICIARY (Lory, Chairman):

2/6/87

HB 305, do pass. Report adopted.

HB 413, do pass. Report adopted.

HB 435, introduced bill, be amended as follows:

1. Page 2, line 24.

Following: “property”

Insert: “which is”

2. Page 3, line 1.

Following: “have”

Insert: “, with intent to sell,”

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/5/87

Adverse Committee Reports

HB 481, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Addy, Cobb, Connelly, Fritz, Kadas, Meyers, Rehberg, Spaeth.
Total 8

Excused: Peterson.

Total 1

Absent or not voting: Nathe.

Total 1

TAXATION (Ramirez, Chairman):

2/6/87

Adverse Committee Reports

HB 216, do not pass.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Cohen in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 261 - Representative Nathe moved that HB 261 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Peterson.
Total 1

Absent or not voting: Ellison.
Total 1

HB 263 - Representative Bachini moved that HB 263 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: Sands, Thomas.
Total 2

Excused: Peterson.
Total 1

Absent or not voting: None.
Total 0

HB 3 - Representative Donaldson moved that HB 3, second reading copy, be amended as follows:

1. Page 3, line 14.

Following: "15,839"

Strike: "Nonexpendable"

Insert: "Pension"

2. Page 5, line 9.

Following: "fiscal"

Strike: "year"

Insert: "years"

Following: "1988"

Insert: "and 1989"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 98

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: Mr. Speaker.

Total 1

Representative Donaldson moved that HB 3, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: Harper.

Total 1

HB 357 - Representative Bardanouve moved that HB 357 do pass. After debate, Representative Spaeth made a substitute motion that HB 357, second reading copy, be amended. Motion failed. (36-63)

Representative Harper made a substitute motion that HB 357, second reading copy, be amended. Motion failed. (42-58)

HB 357 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, McCormick, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 70

Noes: Addy, Bradley, D. Brown, Cobb, Cohen, Corne', Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Lory, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Quilici, Raney, Ream, Russell, Spaeth, Squires, Vincent, Whalen, Williams.

Total 30

Paired: Peterson, Aye; Harper, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 408 - Representative Iverson moved that HB 408 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 433 - Representative Sands moved that HB 433 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Bachini, Bulger, Corne', Daily, Driscoll, Harrington, Kadas, Keenan, Menahan, Miles, Pavlovich, Raney, Russell, Schye, Strizich, Whalen.

Total 16

Excused: Peterson.

Total 1

Absent or not voting: D. Brown.

Total 1

HB 439 - Representative Grady moved that HB 439 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Brandewie, Hannah, Harp.

Total 3

Excused: Peterson.

Total 1

Absent or not voting: Roth.

Total 1

HB 440 - Representative Grady moved that HB 440 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith,

Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Asay, Brandewie, Hannah, Harp, Peck.
Total 5

Excused: Peterson.
Total 1

Absent or not voting: Hayne, Kadas, Keller, Lory.
Total 4

HB 441 - Representative Grady moved that HB 441 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 95

Noes: Brandewie, Hannah, Harp, Peck.
Total 4

Excused: Peterson.
Total 1

Absent or not voting: None.
Total 0

HB 532 - Representative Poulsen moved that HB 532 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 96

Noes: Glaser, Patterson, Peck.
Total 3

Excused: Peterson.
Total 1

Absent or not voting: None.

Total 0

HB 563 - Representative Schye moved that HB 563 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Peterson.
Total 1

Absent or not voting: None.
Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Cohen moved the adoption of the committee report. Report adopted. (96-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 207 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: Swysgood.
Total 1

Excused: Peterson.
Total 1

Absent or not voting: Hoffman.
Total 1

HB 238 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 92

Noes: Cobb, Cody, Driscoll, Holliday.
Total 4

Excused: Peterson.
Total 1

Absent or not voting: Giacometto, Hoffman, Poulsen.
Total 3

HB 273 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Peterson.
Total 1

Absent or not voting: Hayne, Hoffman.
Total 2

HB 297 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 97

Noes: Mr. Speaker.

Total 1

Excused: Peterson.

Total 1

Absent or not voting: Hoffman.

Total 1

HB 302 passed as follows:

Ayes: Asay, Bradley, Brandewie, J. Brown, Bulger, Campbell, Compton, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jones, Keller, Kitselman, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nelson, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Mr. Speaker.

Total 55

Noes: Addy, Bachini, Bardanouve, D. Brown, Cobb, Cody, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Fritz, Gould, Hansen, Harper, Harrington, Jenkins, Kadas, Keenan, Kennerly, Koehnke, McCormick, Menahan, Miles, Moore, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Strizich, Swysgood, Thomas, Vincent, Whalen.

Total 45

Paired: Peterson, Aye; Harrington, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 321 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Brandewie, Campbell, Driscoll, Meyers.

Total 4

Excused: Peterson.

Total 1

Absent or not voting: Pavlovich.

Total 1

HB 334 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 353 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 386 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Asay, Daily, Fritz, Hannah, Koehnke, Peck.

Total 6

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 401 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cohen, Connelly, Harper, Kadas, Peck, Rapp-Svrcek, Switzer.

Total 7

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 402 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 411 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: Peck.
Total 1

Excused: Peterson.
Total 1

Absent or not voting: None.
Total 0

HB 533 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 97

Noes: Giacometto, Mr. Speaker.
Total 2

Excused: Peterson.
Total 1

Absent or not voting: None.
Total 0

HB 550 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cohen, Driscoll, Hansen, Menahan, Pavlovich.

Total 5

Excused: Peterson.

Total 1

Absent or not voting: Sales.

Total 1

HB 553 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: D. Brown, Cohen, Driscoll, Nisbet.

Total 4

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Representative Bulger moved that consideration of HB 327 on second reading be passed until the 32nd legislative day. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 9:30 a.m., February 7, 1987.

Motion carried.

House adjourned at 6:15 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

THIRTIETH LEGISLATIVE DAY

Helena, Montana
February 7, 1987

House Chambers
State Capitol

House convened at 9:30 a.m., Mr. Speaker in the Chair. Invocation by Representative Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except Bulger and Peterson, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/7/87

Correctly printed: HB 102, HB 232, HB 305, HB 327, HB 329, HB 372, HB 381, HB 413, HB 427, HB 435, HB 437, HB 485, HB 517, HB 549, HB 569, HB 573.

Correctly engrossed: HB 3, HB 4, HB 249, HB 261, HB 263, HB 357, HB 408, HB 433, HB 439, HB 440, HB 441, HB 532, HB 563.

Correctly enrolled: HB 106, HB 132, HB 140, HB 153, HB 176.

Examined by the sponsor and found to be correct:

HB 106 - Kadas

HB 132 - Fritz

HB 140 - Bardanouve

HB 153 - Bardanouve

HB 176 - Bardanouve

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman):

2/6/87

HB 446, do pass. Report adopted.

HB 516, do pass. Report adopted.

APPROPRIATIONS (Donaldson, Chairman):

2/6/87

Adverse Committee Reports

HB 180, do not pass. Chairman Donaldson moved to adopt the committee report. Representative Fritz made a substitute motion that the adverse committee report be rejected and the bill be placed back on second reading. The Fritz motion carried.(76-20)

BUSINESS AND LABOR (Kitselman, Chairman):

2/6/87

Adverse Committee Reports

HB 432, as amended, do not pass. Chairman Kitselman moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Campbell, Cody, Compton, Corne', Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Poff, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Addy, J. Brown, Cobb, Connelly, Darko, DeMars, Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Menahan, Miles, Moore, Patterson, Pistoria, Raney, Rapp-Svrcek, Russell, Squires, Stratford, Strizich, Whalen.

Total 24

Excused: Bulger, Peterson.

Total 2

Absent or not voting: Cohen, Daily, Miller.

Total 3

STATE ADMINISTRATION (Sales, Chairman):

2/6/87

Adverse Committee Reports

HB 306, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Bardanouve, Brandewie, Campbell, Cobb, Compton, Daily, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Nelson, Patterson, Peck, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Mr. Speaker.

Total 51

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Cody, Connelly, Corne', Darko, DeMars, Driscoll, Grady, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Russell, Sands, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Vincent, Whalen, Williams, Winslow.

Total 46

Excused: Bulger, Peterson.

Total 2

Absent or not voting: Cohen.

Total 1

HB 447, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hansen, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 75

Noes: Asay, Cobb, Daily, Giacometto, Grady, Hannah, Hanson, Harp, Hayne, Koehnke, Menahan, Menke, Mercer, Meyers, Miller, Patterson, Poulsen, Roth, Swift, Switzer, Thoft, Thomas, Winslow.

Total 23

Excused: Bulger, Peterson.

Total 2

Absent or not voting: None.

Total 0

HB 498, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 84

Noes: Cobb, Daily, Giacometto, Hannah, Hanson, Hayne, Koehnke, Menke, Mercer, Poulsen, Roth, Switzer, Thomas, Winslow.

Total 14

Excused: Bulger, Peterson.

Total 2

Absent or not voting: None.

Total 0

HJR 12, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Williams, Mr. Speaker.

Total 81

Noes: Cobb, Giacometto, Grinde, Hannah, Harp, Hoffman, Menke, Meyers, Ramirez, Roth, Sales, Smith, Switzer, Thomas, Whalen, Winslow.

Total 16

Excused: Bulger, Peterson.

Total 2

Absent or not voting: Cohen.

Total 1

TAXATION (Ramirez, Chairman):

2/5/87

Adverse Committee Reports

HB 160, do not pass. Vice-Chairman Asay moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas,

Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Cobb, Patterson, Pistoria, Sands, Spaeth, Wallin, Whalen.

Total 7

Excused: Peterson.

Total 1

Absent or not voting: Bulger, Iverson, Kennerly, Moore.

Total 4

HB 216, do not pass. Chairman Ramirez moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bradley, Brandewie, J. Brown, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Meyers, Nathe, Nelson, Nisbet, Patterson, Peck, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 63

Noes: Bachini, D. Brown, Campbell, Corne', Daily, DeMars, Eudaily, Fritz, Glaser, Hansen, Harp, Harrington, Jenkins, Keenan, Kennerly, McCormick, Menahan, Mercer, Miles, Miller, Moore, O'Connell, Pavlovich, Poulsen, Quilici, Ream, Rehberg, Squires, Stang, Strizich, Swysgood, Thomas, Williams.

Total 33

Excused: Bulger, Peterson.

Total 2

Absent or not voting: Bardanouve, Cohen.

Total 2

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 646, introduced by Stang, McCallum. Referred to Committee on Local Government.

HB 647, introduced by Bulger. Referred to Committee on Human Services.

HB 648, introduced by Holliday, Pavlovich, Daily, Manuel, Quilici, Iverson, Patterson, Hanson, Stratford, Switzer, Swysgood, Giacometto, Keller, C. Smith, Jones, Ellison, Jenkins, Devlin, Meyers. Referred to Committee on Business and Labor.

HB 649, introduced by Menahan, Keenan. Referred to Committee on Taxation.

HB 650, introduced by Roth. Referred to Committee on Highways and Transportation.

HB 651, introduced by Jenkins, E. Smith, Nathe, Hoffman, Kolstad, Walker, Roth, Asay, Swift, Devlin, Iverson, Bachini, Patterson, Ellison,

Hanson, Switzer, Poff, Compton, Stratford, Grinde, Abrams, Gilbert, Glaser, Sales, Driscoll, D. Brown, Menke, Swysgood, Whalen, Spaeth, Holliday, Keller, Schye, O'Connell, Vincent, Hannah, Van Valkenburg, Corne', Thayer, Halligan, McCallum, Boylan, Rapp-Svrcek, Bulger, Koehnke, DeMars, Farrell, Hansen, Stang, Marks, Quilici, Anderson, Aklestad, Harper, Manning, Severson, Hofman, Bishop, Weeding, Blaylock, Hirsch, Bardanouve, Tveit, Manuel, Hammond. Referred to Committee on Natural Resources.

HB 652, introduced by Harp, (By Request of the Governor). Referred to Committee on Taxation.

HB 653, introduced by Addy. Referred to Committee on Appropriations.

HB 654, introduced by Addy. Referred to Committee on Business and Labor.

HB 655, introduced by Addy. Referred to Committee on Judiciary.

HB 656, introduced by Grady, Hofman, Miller, Menke, Pistoria, DeMars, Russell, Jenkins, Schye, Tveit, Koehnke, Donaldson. Referred to Committee on Highways and Transportation.

HB 657, introduced by Rapp-Svrcek, Ream, Cobb, Harper, Ellison, Hoffman, Eudaily, McCallum, Walker. Referred to Committee on Natural Resources.

HB 658, introduced by Menahan, Bachini. Referred to Committee on Taxation.

HB 659, introduced by Rapp-Svrcek, Pinsonneault, Boylan, Mercer, Cobb. Referred to Committee on Education and Cultural Resources.

HB 660, introduced by Peck, Nathe, McCallum, Bengtson. Referred to Committee on Appropriations.

HB 661, introduced by Spaeth, E. Smith, Beck, Cody, Harrington, Glaser, Thoft, Brandewie, Boylan, Hirsch, Blaylock, Giacometto, Weeding, Iverson. Referred to Committee on Natural Resources.

HB 662, introduced by Spaeth, McLane. Referred to Committee on Judiciary.

HB 663, introduced by Connelly, Lybeck. Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Wallin in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Bulger present at this time.

HB 283 - Representative Mercer moved that HB 283, second reading copy, be amended as follows:

1. Page 2, line 13.

Strike: "UPON"

Insert: "the change is allowed by an"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins,

Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: Cohen, Harper.

Total 2

Representative Darko moved that HB 283, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 99

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 359 - Representative Grady moved that HB 359 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.
Total 83

Noes: Devlin, Fritz, Grinde, Hannah, Jones, Menahan, Miller, Raney, Roth, Sands, Swift, Switzer.

Total 12

Excused: Peterson.

Total 1

Absent or not voting: D. Brown, Ellison, O'Connell, Wallin.

Total 4

HB 469 - Representative Keenan moved that HB 469 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 480 - Representative Miles moved that HB 480 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Hansen.

Total 1

Excused: Peterson.

Total 1

Absent or not voting: Fritz.

Total 1

HB 484 - Representative Harper moved that HB 484 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: Hoffman, McCormick.

Total 2

HB 489 - Representative Miles moved that HB 489 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Wallin moved the adoption of the committee report. Report adopted. (96-2)

SPECIAL ORDERS OF THE DAY

Justice John C. Harrison and twenty-three Eagle Scouts from all over Montana were ushered into the well of the House in honor of the 75th birthday of the scouting movement in Montana. Justice Harrison has been involved in scouting for 60 of those years. Eagle Scout, Eric Zin, spoke on behalf of the 13,000 families and the 4,000 adult scouters who participate in the program. Each Eagle Scout introduced himself and the Speaker

thanked them for brightening the day in the House of Representatives. Before they left, Justice Harrison suggested that they each pick out the seat they would someday like to have in the House.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 4 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 82

Noes: Asay, Campbell, Cobb, Devlin, Driscoll, Ellison, Glaser, Hannah, Hoffman, Jones, Meyers, Phillips, Sales, Smith, Swift, Switzer, Whalen.
Total 17

Excused: Peterson.
Total 1

Absent or not voting: None.
Total 0

HB 228 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 94

Noes: Addy, Campbell, Hannah, Peck.
Total 4

Excused: Peterson.
Total 1

Absent or not voting: Stang.
Total 1

HB 249 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily,

Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: Cobb.

Total 1

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 261 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 99

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 263 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Roth, Sands, Spaeth, Thomas.

Total 4

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 357 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, McCormick, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 70

Noes: Addy, Bradley, D. Brown, Cobb, Connelly, Corne', Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Lory, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Quilici, Raney, Ream, Russell, Spaeth, Squires, Vincent, Whalen, Williams.

Total 29

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 408 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 433 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily,

Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Corne', Driscoll, Hannah, Menahan, Raney, Schye, Whalen.

Total 7

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 439 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Hannah.

Total 1

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 440 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Hannah.

Total 1

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 441 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Hannah.

Total 1

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 532 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Campbell, Glaser, Patterson.

Total 3

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 563 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily,

Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: Peterson.

Total 1

Absent or not voting: Cohen.

Total 1

MOTIONS

Representative Lory moved that HB 632 be taken from the Committee on Business and Labor and rereferred to the Committee on Judiciary. Motion carried.

Representative Connelly moved that Pavlovich, Abrams, Phillips, Thoft, Grady, Kennerly, Compton, Keller, Switzer, Stang, Donaldson, Campbell, Stratford, Gilbert, Patterson, Rehberg, Swysgood, Nathe, Poff, Cody, Strizich, Winslow, Thomas, and Simon be added as sponsors to HB 382. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks thanked this week's pages for their services and introduced them as follows:

Trista Dahl, Helena
Jennifer Leland, Great Falls
Amy Kuntz, Great Falls
Mendi Nisbet, Great Falls
Sean Frampton, Missoula
Max Murphy, Wolf Creek
Chad Bowman, Billings
Timothy Little, Helena

Representative Hannah moved that the House adjourn until 3:00 p.m., February 9, 1987.

Motion carried.

House adjourned at 11:05 a.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

THIRTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 9, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Reverend Tom Banks. Pledge of Allegiance to the Flag.

Roll call. All members present except Peterson and Swysgood, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twenty-ninth and thirtieth legislative days, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 2/9/87

Correctly printed: HB 180, HB 446, HB 516, HB 555, HB 571.

Correctly engrossed: HB 283, HB 359, HB 469, HB 480, HB 484, HB 489.

Signed by the Speaker at 11:15 a.m., 2/7/87: HB 106, HB 132, HB 140, HB 153, HB 176.

Delivered to the Governor for his approval at 11:34 a.m.: HB 106, HB 132, HB 140, HB 153, HB 176.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman): 2/9/87

HB 628, do pass. Report adopted.

APPROPRIATIONS (Donaldson, Chairman): 2/9/87

HB 248, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman): 2/9/87

HB 471, introduced bill, be amended as follows:

1. Title, line 5.

Following: "NUTRITIONISTS"

Strike: "AND DIETITIANS"

2. Title, line 6.

Strike: "DIETITIAN"

Insert: "NUTRITIONIST"

3. Title, lines 7 through 9.

Following: "2-15-1841," on line 7

Strike: remainder of line 7, line 8 in its entirety, and line 9 through "37-21-406,"

4. Page 1, line 14.

Following: "assessment"

Strike: ","

Insert: "and"

Following: "counseling"

Strike: remainder of line 14

5. Page 1, line 17.

Strike: "and dietitians"

6. Page 1, line 18.

Following: "welfare"

Strike: "and"

Insert: ","

7. Page 1, line 20.

Following: "Montana"

Insert: ", and to provide a means of identifying those qualified to practice nutrition"

8. Page 1, line 21.

Following: "act]"

Insert: ", unless the context requires otherwise,"

9. Page 1.

Following: line 22

Insert: "(1) "Accredited" means accredited through the council on postsecondary accreditation of the U.S. department of education."

Renumber: subsequent subsections

10. Page 2, lines 2 and 3.

Following: "of" on line 2

Strike: remainder of line 2 and line 3 through "sciences"

Insert: "commerce"

11. Page 2, line 4.

Strike: "Dietetic"

Insert: "Dietetic-nutrition"

12. Page 2, line 9.

Strike: "dietetic"

Insert: "dietetic-nutrition"

Following: "assessment"

Strike: ","

Insert: "and"

13. Page 2, line 10.

Following: "counseling"

Strike: ", and nutrition education"

14. Page 2, lines 11 and 12.

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

15. Page 3, lines 5 through 14.

Following: "(9)" on line 5

Strike: remainder of line 5 and lines 6 through 14 in their entirety

Insert: "" Nutritionist" means:

(a) a person licensed under [this act];

(b) a person who has satisfactorily completed a baccalaureate and master's or a doctoral degree in the field of dietetics, food and nutrition, or public health nutrition conferred by an accredited college or university; or

(c) a person registered by the commission."

16. Page 3, line 15.

Strike: "was"

Insert: "is"

17. Page 3, line 16, through page 4, line 14.

Following: "commission" on line 16

Insert: ","

Strike: remainder of line 16 and lines 17 through 25, page 3, and lines 1 through 13, page 4, in their entirety and line 14 through "dietitians."

18. Page 4, line 15.

Strike: "dietetic"

Insert: "dietetic-nutrition"

19. Page 4.

Following: line 15

Strike: "A licensed"

Insert: "Only a"

Following: "nutritionist"

Strike: "or licensed dietitian provides"

Insert: "can provide"

20. Page 5, line 5.

Strike: "dietitian or a"

Insert: "licensed"

21. Page 5, line 8.

Following: "is"

Strike: "a"

Following: "registered"

Strike: "dietitian"

Insert: "by the commission"

22. Page 5, line 9.

Following: "from"

Strike: "a regionally"

Insert: "an"

23. Page 5, line 12.

Following: "nutrition,"

Insert: "or"

Following: "dietetics, or"

Strike: "food systems management or"

24. Page 5, line 15.

Strike: "a regionally"

Insert: "an"

25. Page 5, line 17.

Following: "and nutrition,"

Insert: "or"

Following: "dietetics"

Strike: remainder of line 17 and line 18 through "management"

26. Page 5, line 18.

Following: ","

Insert: "and"

27. Page 5, lines 20 through 22.

Following: "practice"

Strike: " , and" on lines 20 and 21 through "commission" on line 22

28. Page 5, line 24.

Following: "(1)"

Insert: "(b)"

29. Page 6, line 12.

Strike: "dietetic"

Insert: "dietetic-nutrition"

30. Page 6, line 13.

Strike: "dietetics"

Insert: "dietetics-nutrition"

31. Page 6, line 14.

Strike: "dietitian"

Insert: "nutritionist"

32. Page 6, line 19.

Strike: "dietetics"

Insert: "dietetics-nutrition"

33. Page 6, line 24.

Strike: "dietitian or"

34. Page 7, lines 7 and 8.

Following: "and nutrition," on line 7

Insert: "or"

Following: "health nutrition" on line 7

Strike: ", or food service management"

35. Page 7, line 10.

Strike: "dietetics"

Insert: "dietetics-nutrition"

36. Page 7, lines 15 through 18.

Following: "from" on line 15

Strike: remainder of line 15, lines 16 and 17 in their entirety, and line 18 through "products"

Insert: "furnishing general nutritional information, including dissemination of literature, as to the use of food, food materials, or dietary supplements or from engaging in the explanation as to the use of foods or food products, including dietary supplements, in connection with the marketing and distribution of those products"

37. Page 8, line 4.

Strike: "a dietitian or"

38. Page 8, line 6.

Strike: "dietitian or"

39. Page 8.

Following: line 8

Strike: "dietitian, a"

Following: "nutritionist,"

Strike: ", a licensed dietitian,"

40. Page 8, line 11.

Following: "act]"

Insert: "or exempted from licensure as defined in [section 6(5)]"

41. Page 8, line 13.

Strike: "dietetics"

Insert: "dietetics-nutrition"

42. Page 8, line 16.

Strike: "dietetics"

Insert: "dietetics-nutrition"

43. Page 9, line 7.

Strike: "dietetics"

Insert: "dietetics-nutrition"

44. Page 9, line 11.

Following: "for"

Strike: "licensed dietitians and"

45. Page 10, line 15.

Strike: "registered dietitian"

Insert: "licensed nutritionist"

46. Page 10, line 22.

Strike: "dietetics"

Insert: "dietetics-nutrition"

47. Page 10, line 25.

Strike: "registered dietitian"

Insert: "licensed nutritionist"

48. Page 11, line 2.

Strike: "dietitians and"

49. Page 11, lines 10 through 12.

Strike: new section 3 in its entirety

And, as amended, do pass. Report adopted.

HB 473, do pass. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman):

2/7/87

HB 555, do pass. Report adopted.

HB 571, do pass. Report adopted.

Adverse Committee Reports

HB 490, do not pass.

HB 543, do not pass.

LOCAL GOVERNMENT (Wallin, Chairman):

2/9/87

HB 589, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "A DISTRICT JUDGE"

Insert: "THE BOARD OF COUNTY COMMISSIONERS"

2. Title, line 6.

Strike: "AND"

3. Title, line 7.

Following: "MCA"

Insert: "AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

4. Page 1, lines 22 and 23.

Strike: "district judge, or district judges if the county is in a multi-judge district,"

Insert: "board of county commissioners"

5. Page 2.

Following: line 3

Insert: "NEW SECTION. Section 2. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 531, as amended, do not pass.

NATURAL RESOURCES (Jones, Chairman):

2/6/87

HJR 19, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/6/87

HB 325, introduced bill, be amended as follows:

1. Title, lines 11 through 13.

Strike: "TRANSFERRING" on line 11 through "," on line 13

2. Title, line 16.

Strike: "40-3-115,"

3. Title, line 17.

Strike: "41-5-702" through "41-5-705,"

4. Page 3, lines 21 and 22.

Strike: "and" on line 21 through "youth" on line 22

Insert: "who are referred or committed to the department"

5. Page 4, line 11.

Strike: "administer" through "to"

Insert: "provide funding for and place"

6. Page 4, line 13.

Following: "supervision"

Insert: "who are referred or committed to the department"

7. Page 4, line 15.

Strike: "the"

Following: "youth"

Strike: "served"

Insert: "in need of care"

8. Page 4, line 20.

Following: ","

Insert: "and"

9. Page 4, line 22.

Strike: "(f)" through "and"

Insert: "(4) administer youth correctional facilities;"

10. Page 4, line 23.

Strike: "(g)"

Insert: "(5) provide"

Renumber: subsequent subsections

11. Page 5, line 11.

Following: "(7)"

Insert: "(a) make a written evaluation of each plan developed by the local youth services advisory councils, as provided in [section 8], indicating those portions of each plan that will be implemented by the department, those portions that will not be implemented, and the reasons for not implementing those portions;

(b)"

12. Page 5, line 14.

Strike: "," through "]"

13. Page 6, line 18.

Following: "programs"

Insert: "with specific goals and objectives"

14. Page 6, line 24.

Following: "10"

Insert: "and 17 through 19"

15. Page 8, line 12.

Following: "department"

Insert: "or the youth court"

16. Page 8, line 24.

Following: "plan"

Insert: "with specific goals and objectives"

17. Page 11, line 14.

Strike: "41-5-403, 41-5-523,"

18. Page 13, line 16 through line 13, page 15.

Strike: sections 14 and 15 in their entirety

Insert: "NEW SECTION. Section 14. County contribution for salaries and travel of protective services employees. (1) Upon transfer of certain functions of the county welfare department to the department of family services as provided in [section 12], the salaries and travel expenses, as provided in 2-18-501 through 2-18-503, of protective services employees must be paid by the department of family services. The board of county commissioners shall reimburse the department of family services from county poor funds in an amount equal to that county's expenditures for salaries and travel expenses of protective services employees in fiscal year 1987.

(2) On or before the 20th day of the month following the month for which payments were made for protective services employees' salaries and travel, the department of family services shall present to the board of county commissioners a claim for the required reimbursement. The board of county commissioners shall make such reimbursement within 20 days after the presentation of the claim.

NEW SECTION. Section 15. Youth placement committees — composition. (1) In each judicial district, the department shall establish a youth placement committee for the purposes of recommending an appropriate placement of a youth referred to the department under 41-5-403 or committed to the department under 41-5-523.

(2) The committee consists of not less than four members appointed by the department and must include a representative of the department, a youth probation officer, a mental health professional, and a representative of a school district located within the boundaries of the judicial district. Committee members serve without compensation.

NEW SECTION. Section 16. Duties of the youth placement committee. A youth placement committee shall:

(1) review all information relevant to the placement of a youth referred or committed to the department;

(2) consider available resources appropriate to meet the needs of the youth;

(3) consider the treatment recommendations of any professional person who has evaluated the youth;

(4) recommend in writing to the department an appropriate placement for the youth in a licensed facility, considering the age and treatment needs of the youth and the relative costs of care in the facilities considered appropriate for placement;

(5) review temporary and emergency placements as required under [section 18]; and

(6) conduct placement reviews as requested by the department.

NEW SECTION. Section 17. Youth placement committee to submit recommendation to department — acceptance or rejection of recommendation by department. (1) When a youth has been referred or committed to the department for placement, the department shall notify the appropriate youth placement committee. The committee shall submit in writing to the department its recommendation for placement of the youth. The committee shall send a copy of the recommendation to the appropriate youth court judge.

(2) If the department accepts the committee's recommendation, the youth must be placed according to the recommendation.

(3) If the department rejects the committee's recommendation, it promptly shall notify the committee in writing of the reasons for rejecting the recommendation. The department shall send a copy of the notice to the appropriate youth court judge.

(4) After receiving a notice under subsection (3), the committee shall submit in writing to the department a recommendation for an alternative placement of the youth.

(5) If the department accepts the committee's recommendation for alternative placement, the youth must be placed according to the recommendation.

(6) If the department rejects the committee's recommendation for alternative placement, the department promptly shall notify the committee in writing of the reasons for rejecting the recommendation, and the youth must be placed in an appropriate facility as determined by the department.

NEW SECTION. Section 18. Temporary and emergency placements — limit. (1) A temporary placement of a youth in a shelter care facility or an emergency placement of a youth in a youth care facility is exempt from the requirements of [section 17].

(2) If a temporary or emergency placement of a youth continues for 45 or more days, the department shall refer the placement of the youth to the appropriate youth placement committee for review. The committee shall make a recommendation for placement to the department in accordance with [section 17].

NEW SECTION. Section 19. Confidentiality of youth placement committee meetings and records. (1) Meetings of a youth placement committee are closed to the public to protect a youth's right to individual privacy.

(2) Information presented to the committee about a youth and committee records are confidential and subject to confidentiality requirements established by rule by the department.

NEW SECTION. Section 20. Status of employees upon transfer to the department of family services. A current state employee who is a member of a collective bargaining unit and who occupies a position that is transferred to the department of family services becomes an employee of the department of family services upon signing of the executive order provided in [section 116] and may not receive a reduction in wages upon such transfer. Any subsequent changes that may affect such employee must be made according to existing laws and rules."

Renumber: subsequent sections

19. Page 17, line 20.

Strike: "child" through "institution"

Insert: "youth care facility"

20. Page 20, line 24 through line 12, page 22.

Strike: section 20 in its entirety

Renumber: subsequent sections

21. Page 43, line 5.

Following: "services"

Insert: "welfare department or office of human services"

22. Page 43, line 8.

Following: "services"

Insert: "welfare department or office of human services"

23. Page 45, line 25.

Following: "services"

Insert: "welfare department or office of human services"

24. Page 46, line 12.

Following: "attorney"

Insert: "welfare department or office of human services"

25. Page 47, line 3.

Following: "services"

Insert: "welfare department or office of human services"

26. Page 50, lines 2 and 3.

Strike: subsection (f) in its entirety

Renumber: subsequent subsections

27. Page 53.

Following: line 6

Insert: "(b) a representative of the youth court"

Renumber: subsequent subsections

28. Page 55.

Following: line 7

Insert: "(3) The county shall reimburse the department for one-half of the payments not reimbursed to the department by the federal government until the county expenditures reach a level equal to the county's level of expenditures for foster care in fiscal year 1987, except as provided in subsection (4). If a county's level of expenditure for any year reaches the level of expenditure for foster care in fiscal year 1987, the county shall reimburse the department for one-quarter of the payments above the fiscal year 1987 expenditure level.

(4) If a county's level of expenditure for foster care in fiscal year 1987 is \$10,000 or less, the county's level of expenditure for purposes of determining the county's percentage of reimbursement specified in subsection (3) is the level of expenditures for fiscal year 1987 or the average of expenditures for fiscal years 1984 through 1987, whichever is less."

Renumber: remaining subsection

29. Page 58, lines 14 through 18.

Strike: subsection (11) in its entirety

Renumber: subsequent subsections

30. Page 59, line 1.

Strike: "any" through "staff"

Insert: "probation officers"

31. Page 61, line 8 through line 20, page 62.

Strike: sections 50 and 51 in their entirety

Renumber: subsequent sections

32. Page 63, line 11 through line 7, page 64.

Strike: section 53 in its entirety

Renumber: subsequent sections

33. Page 68, line 17.

Strike: "or" through "department"

34. Page 68, line 22.

Strike: "must" through "and"

35. Page 69, line 9.

Strike: "appropriate" through "the"

36. Page 71, line 18.

Following: "court"

Insert: "and as determined by the department"

37. Page 71, line 20.

Following: "youth"

Insert: "as determined by the department"

38. Page 74, lines 2 and 3.

Strike: "to" on line 2 through "or" on line 3

39. Page 76, line 22.

Following: "youth"

Insert: "after considering the recommendation of the youth placement committee as provided in [section 17]"

40. Page 77, line 9.

Strike: "and"

41. Page 77.

Following: line 16

Insert: "(iv) a youth is under the supervision of a youth probation officer, except that a youth placed in a youth correctional facility is supervised by the department;"

42. Page 77, line 19.

Strike: "recommended" through "department"

Insert: "that does not obligate funding from the department without the department's approval"

43. Page 82, lines 11 and 12.

Strike: "professional" on line 11 through "department's" on line 12

44. Page 83, line 22 through line 4, page 85.

Strike: sections 63 and 64 in their entirety

Renumber: subsequent sections

45. Page 114, lines 6 through 8.

Strike: "children" on line 6 through "youth" on line 8

Insert: "abused, dependent, or neglected children"

46. Page 139, line 4.

Strike: "40-3-115,"

47. Page 139, lines 4 and 5.

Strike: "41-5-702," on line 4 through "41-5-705," on line 5

48. Page 139.

Following: line 22

Insert: "(3) Sections 15 through 19 are intended to be codified as an integral part of Title 41, chapter 5, and the provisions of Title 41, chapter 5, apply to sections 15 through 19."

49. Page 140, line 23.

Strike: "117"

Insert: "116"

50. Page 140, line 24.

Strike: "116"

Insert: "115"

51. Page 141, line 1.

Strike: "117(1)"

Insert: "116(1)"

Committee attached the following statement of intent:

Statement of Intent

HB 325

A statement of intent is required for this bill because section 5 grants rulemaking authority to the department of family services to adopt rules necessary to carry out the purposes of sections 3 through 10 and 15 through 19.

Rules are primarily necessary to implement sections 7 and 8 of the bill. These sections require that a state youth services council and local youth services advisory councils be established to advise the director of the department on policies related to children and youth, to make an annual written review and evaluation of local needs and services, and to develop a local plan for a system of community-based services for children and youth.

The rules to be adopted would address:

- (1) the composition, membership requirements, and operating procedures for the state and local advisory councils;
- (2) procedures for the development and format of the annual written review and evaluation of services;
- (3) procedures for the preparation and format of the state plan; and
- (4) other guidelines necessary for the administration and operation of the state and local advisory councils.

It is also intended that the department adopt rules necessary to carry out its duties and responsibilities set forth in section 5. These rules will be adopted in a manner consistent with the expressed purposes of the legislation and the existing rulemaking authority of the department of social and rehabilitation services that are transferred to the department of family services.

In addition, the department will adopt rules governing the establishment and administration of youth placement committees as provided in sections 15 through 19.

And, as amended, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

2/6/87

HB 315, introduced bill, be amended as follows:

1. Page 2, line 6.

Following: "the"

Insert: "(1)"

2. Page 2.

Following: line 10

Insert: "(2) The livestock number being fed in pens or feed lots may be computed by adding the numbers of livestock 9 months of age or over that were fed on the last day of each month since the last assessment date and dividing the total number by 12."

And, as amended, do pass. Report adopted.

HB 387, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: "REPORT" on line 6

Strike: "AND TO HOLD A PUBLIC HEARING ON THE PROPOSED CONTENTS OF THE BIENNIAL REPORT"

2. Page 3.

Strike: line 13 through "hearing." on line 24

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

February 9, 1987

Dear Mr. Speaker:

This is to inform you that I signed House Bills No. 27 and 122 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 2/5/87

HJR 2, introduced by Rapp-Svrcek

House bills concurred in and returned to the House: 2/6/87

HB 61, introduced by Harper

HB 91, introduced by Hayne

HB 109, introduced by Swysgood

HB 181, introduced by Nelson

HB 190, introduced by Nelson

HB 215, introduced by Corne'

HB 226, introduced by Spaeth

HB 227, introduced by Nelson

HB 103, introduced by Schye 2/7/87

House bills not concurred in and returned to the House: 2/7/87

HB 166, introduced by Jones

HB 170, introduced by Jones

MOTIONS

Representative Sales moved that the House reconsider its action in adopting the adverse committee report on HB 306 on the 30th legislative day. Motion carried. (94-2)

Representative Sales moved that HB 306 be rereferred to the Committee on State Administration for amendment. Motion carried.

Representative Harper moved that HB 348 be taken from second reading and rereferred to the Committee on Human Services. Motion carried.

Representative Wallin moved that the rules be suspended to allow the late drafting and introduction of a bill dealing with public housing. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 664, introduced by Ramirez, Spaeth. Referred to Committee on Judiciary.

HB 665, introduced by Hannah. Referred to Committee on Judiciary.

HB 666, introduced by Ramirez, Addy, Rehberg, Simon, Roth, Kitselman, Hannah, Winslow, Driscoll, Whalen. Referred to Committee on Taxation.

HB 667, introduced by Hannah, Mercer, Winslow. Referred to Committee on Taxation.

HB 668, introduced by Vincent. Referred to Committee on Judiciary.

HB 669, introduced by Harp, Neuman, Compton, Patterson, Schye, Hanson, Jenkins, Meyers, Grady, M. Williams, Cody, Winslow, Rapp-Svrcek, Bardanouve, Bulger, Poulsen, Darko. Referred to Committee on Business and Labor.

HB 670, introduced by Bachini, Connelly, Cody, Kolstad, M. Williams, Peck, Walker, Vincent, Driscoll, Jergeson, McCormick, O'Connell, Spaeth, Quilici, Pavlovich, Raney, Harp, Jenkins, Iverson, C. Smith, Wallin, Schye, Ramirez, Marks. Referred to Committee on Judiciary.

HB 671, introduced by Rapp-Svrcek. Referred to Committee on Education and Cultural Resources.

HB 672, introduced by Whalen. Referred to Committee on Judiciary.

HB 673, introduced by Whalen, Driscoll, Cohen, Menahan, Addy. Referred to Committee on Judiciary.

HB 674, introduced by Mercer. Referred to Committee on Human Services.

HB 675, introduced by Miles, Vincent, Sands, Bulger, Strizich, Raney, Bardanouve, Ream, Moore, Thomas, Ramirez, Marks, Cobb, Mercer, Walker, Van Valkenburg. Referred to Committee on Human Services.

HB 676, introduced by Kadas. Referred to Committee on Local Government.

HB 677, introduced by Rapp-Svrcek. Referred to Committee on Natural Resources.

HB 678, introduced by Connelly, Sands, Vincent, Halligan, Kadas, Peck. Referred to Committee on Taxation.

HB 679, introduced by Keenan, Miles, Strizich, Menahan, Stratford, D. Brown, Bradley, Nathe, Winslow. Referred to Committee on Judiciary.

HB 680, introduced by Hannah. Referred to Committee on Judiciary.

MOTIONS

Representative Hannah moved that the House stand in recess until 3:45 p.m. Motion carried.

House recessed at 3:15 p.m.

House reconvened at 4:15 p.m.

Mr. Speaker in the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Jenkins in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 102 - Representative Grady moved that HB 102 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Donaldson, Ellison, Giacometto, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Miles, Moore, Nathe, Nelson, Pavlovich, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Stratford, Strizich, Swysgood, Vincent, Williams, Winslow, Mr. Speaker.

Total 67

Noes: Bachini, Campbell, Cohen, Connelly, Devlin, Driscoll, Eudaily, Fritz, Glaser, Grinde, Hannah, Lory, Mercer, Meyers, Miller, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Rehberg, Roth, Sands, Simon, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Whalen.

Total 32

Paired: Swysgood, Aye; Eudaily, No.

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 329 - Representative Grady moved that HB 329, second reading copy, be amended as follows:

1. Page 1, line 18.

Following: "(2)"

Insert: "six-point or larger bull"

2. Page 1, line 20.

Following: "(3)"

Insert: "four-point or larger buck"

3. Page 1, line 20.

Strike: "antelope,"

4. Page 1, line 20.

Strike: "raptors"

Insert: "raptor"

Strike: "swans"

Insert: "swan"

5. Page 1, line 21.

Strike: "sturgeons"

Insert: "sturgeon"

6. Page 1, line 24.

Strike: "birds"

Insert: "bird"

Strike: "swans"

Insert: "swan"

7. Page 2, line 1.

Strike: "TURKEYS"

Insert: "turkey"

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, DeMars, Devlin, Driscoll, Eudaily, Gilbert, Glaser, Grady, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keller, Kitselman, Koehnke, Manuel, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Pavlovich, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sales, Stang, Stratford, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 51

Noes: Bachini, Bradley, D. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Ellison, Fritz, Giacometto, Gould, Grinde, Hansen, Harrington, Jones, Kadas, Keenan, Kennerly, Lory, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Peck, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Strizich, Vincent, Whalen, Williams.

Total 46

Excused: Peterson, Swysgood.

Total 2

Absent or not voting: Miller.

Total 1

Representative Ream moved that HB 329, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 83

Noes: Asay, Campbell, Cobb, Cody, Devlin, Giacometto, Gilbert, Glaser, Grinde, Iverson, Menke, Meyers, Patterson, Switzer, Mr. Speaker.

Total 15

Excused: Peterson, Swysgood.

Total 2

Absent or not voting: None.

Total 0

HB 381 - Representative Kitselman moved that HB 381, second reading copy, be amended as follows:

1. Page 8, line 10.

Following: "SERVICES"

Insert: "and barber's services"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cohen, Whalen.

Total 2

Excused: Peterson, Swysgood.

Total 2

Absent or not voting: Giacometto, Grady.

Total 2

Representative Grady moved that HB 381, as amended, do pass.
Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Corne', DeMars, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Meyers, Moore, Nathe, Nelson, Patterson, Pavlovich, Phillips, Pistoria, Poulsen, Quilici, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 68

Noes: Addy, D. Brown, Bulger, Cohen, Connelly, Daily, Darko, Devlin, Driscoll, Fritz, Harrington, Kadas, Keenan, Koehnke, Menahan, Mercer, Miles, Miller, Nisbet, O'Connell, Peck, Poff, Ramirez, Raney, Ream, Russell, Spaeth, Squires, Strizich, Switzer, Whalen.

Total 31

Paired: Swysgood, Aye; Harrington, No.

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

Representative Ramirez excused at this time.

HB 413 - Representative Brandewie moved that HB 413 do pass. After debate, Representative Bardanouve made a substitute motion that HB 413 do not pass. Motion failed. (26-73)

HB 413 passed as follows:

Ayes: Addy, Asay, Bachini, Brandewie, J. Brown, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 75

Noes: Bardanouve, Bradley, D. Brown, Bulger, Cody, Cohen, DeMars, Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Menahan, Miles, Miller, Moore, Nisbet, Poulsen, Ream, Russell, Spaeth, Stang, Whalen.

Total 24

Paired: Ramirez, Swysgood, Ayes; Keenan, Menahan, Noes.

Excused: Peterson.

Total 1

Absent or not voting: None.

Total 0

HB 427 - Representative Vincent moved that HB 427 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cohen, Compton, Meyers.

Total 3

Excused: Peterson, Ramirez, Swysgood.

Total 3

Absent or not voting: None.

Total 0

HB 485 - Representative Thoft moved that HB 485 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connely, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Peterson, Ramirez, Swysgood.

Total 3

Absent or not voting: Driscoll, Whalen.

Total 2

HB 517 - Representative Manuel moved that HB 517 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connely, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Peterson, Ramirez, Swysgood.

Total 3

Absent or not voting: None.

Total 0

HB 549 - Representative Mercer moved that HB 549 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connely, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller,

Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Devlin, Glaser, Patterson, Whalen.

Total 4

Excused: Peterson, Ramirez, Swysgood.

Total 3

Absent or not voting: None.

Total 0

HB 569 - Representative Grady moved that HB 569 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Brandewie, Cohen, Devlin, Hansen, Harp, Koehnke, Meyers, Switzer, Whalen.

Total 9

Excused: Peterson, Ramirez, Swysgood.

Total 3

Absent or not voting: Kadas.

Total 1

Representative Thoft excused at this time.

HB 573 - Representative Winslow moved that HB 573 do pass. After debate, Representative Marks made a substitute motion that consideration of HB 573 be passed for the day. Motion carried. (85-8)

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Jenkins moved the adoption of the committee report. Report adopted. (84-9)

Representative J. Brown excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 3 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko,

DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Cobb, Peck, Whalen.

Total 3

Excused: J. Brown, Peterson, Ramirez, Swysgood, Thoft.

Total 5

Absent or not voting: Eudaily, Hansen.

Total 2

HB 359 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Asay, Campbell, Cohen, Devlin, Fritz, Grinde, Jones, Meyers, Raney, Roth, Sands, Swift.

Total 12

Excused: J. Brown, Peterson, Ramirez, Swysgood, Thoft.

Total 5

Absent or not voting: Hansen, Hoffman.

Total 2

HB 469 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: J. Brown, Peterson, Ramirez, Swysgood, Thoft.

Total 5

Absent or not voting: None.

Total 0

HB 480 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: J. Brown, Peterson, Ramirez, Swysgood, Thoft.

Total 5

Absent or not voting: None.

Total 0

HB 484 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: J. Brown, Peterson, Ramirez, Swysgood, Thoft.

Total 5

Absent or not voting: None.

Total 0

HB 489 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto,

Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: J. Brown, Peterson, Ramirez, Swysgood, Thoft.

Total 5

Absent or not voting: Ellison, Menke.

Total 2

MOTIONS

Representative Quilici moved that consideration of HB 327 on second reading be passed until the 35th legislative day, February 13. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:00 p.m., February 10, 1987.

Motion carried.

House adjourned at 6:45 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

THIRTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 10, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Peterson. Pledge of Allegiance to the Flag.

Roll call. All members present except Eudaily and Kennerly, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-first legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/10/87

Correctly printed: HB 248, HB 315, HB 325, HB 387, HB 471, HB 473, HB 589, HB 628, HJR 19.

Correctly engrossed: HB 102, HB 329, HB 381, HB 413, HB 427, HB 485, HB 517, HB 549, HB 569.

Correctly enrolled: HB 30.

Examined by the sponsor and found to be correct:

HB 30 - Kitselman

BUSINESS AND LABOR (Kitselman, Chairman):

2/10/87

HB 94, introduced bill, be amended as follows:

1. Title, line 6.

Following: "SECTIONS"

Insert: "33-16-1005,"

2. Title, line 7.

Following: "39-71-2302"

Insert: " , "

3. Page 1, line 19.

Following: "chapter."

Insert: "The division and the rating organization shall exchange financial and statistical data, including but not limited to payroll exposure and accident information, for ratemaking experience modification and other purposes regardless of whether the division is a member of the rating organization."

4. Page 3.

Following: line 18

Insert: "Section 3. Section 33-16-1005, MCA, is amended to read:

"33-16-1005. Membership in rating organization required — except — filings with commissioner. (1) Every insurer, including except the division of workers' compensation, writing workers' compensation insurance in this state shall be a member of a workers' compensation rating organization. No insurer may, at the same time, belong to more than one rating organization with respect to such insurance.

(2) A rating organization shall file with the insurance commissioner every manual of classifications and rules and every rating plan and advisory manual rates, including every modification of the foregoing. Every such filing shall state the effective date thereof. Any insurer

writing pursuant to compensation plan No. 2 shall adhere to the manual rules and classifications and rating plans of the rating organization of which it is a member and may adopt by reference, in whole or in part, the advisory manual rates filed under this section. Nothing in this section, however, requires adherence by any insurer to any rates established or published by any rating organization.””

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 443, introduced bill, be amended as follows:

1. Page 6, lines 21 through 25.

Following: “association;” on line 21

Strike: remainder of line 21, lines 22 through 24 in their entirety, and line 25 through “board;”

Committee attached the following statement of intent:

Statement of Intent
HB 443

A statement of intent is required for this bill because section 5 delegates authority to the board of psychologists to adopt rules defining unprofessional conduct for the purpose of establishing postlicensing conduct standards for licensees. Violation of the standards may be grounds for license disciplinary action.

And, as amended, do pass. Report adopted.

HB 537, do pass. Report adopted.

HB 541, introduced bill, be amended as follows:

1. Page 4, lines 18 and 19.

Following: “equivalent” on line 18

Strike: remainder of line 18 and line 19 through “and”

Insert: “. The applicant must be”

2. Page 4, lines 19 and 20.

Following: “by” on line 19

Strike: remainder of line 19 and line 20 through “other”

Insert: “a”

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman): 2/9/87

HB 39, introduced bill, be amended as follows:

1. Page 4, line 2.

Following: “requirements.”

Insert: “(1)”

2. Page 4, line 3.

Strike: “1985”

Insert: “1984”

3. Page 4, lines 4 and 5.

Following: “Act,”

Strike: remainder of line 4 through “seq.,” on line 5

Insert: “as may be amended,”

4. Page 4.

Following: line 8

Insert: "(2) The board of regents shall contract with the superintendent of public instruction for the administration and supervision of K-12 vocational education programs, services, and activities allowed by the 1984 federal Carl D. Perkins Vocational Education Act, as may be amended, and in concert with the state plan for vocational education required by the federal act. The board of regents may contract with other agencies for the administration and supervision of other vocational education programs, services, and activities that receive funding allowed by the 1984 federal Carl D. Perkins Vocational Education Act, as may be amended."

5. Page 5, line 12.

Strike: "prior to"

Insert: "during the period from July 1, 1987, to"

Following: "impaired"

Insert: ", and they may, at any time prior to July 1, 1989, exercise any right they have under a collective bargaining agreement to transfer to another position within the school district"

6. Page 5, line 17.

Following: "center"

Insert: "or the board of regents"

7. Page 30.

Following: line 18

Strike: line 19 through "located" on line 20

8. Page 30, line 21.

Strike: "3"

Insert: "1 1/2"

9. Page 30, line 22.

Following: "county"

Insert: "to raise the amount appropriated by the legislature"

10. Page 30, line 24.

Following: "system."

Insert: "The tax is to be effective for the taxable year beginning on or after January 1, 1988."

Committee attached the following statement of intent:

Statement of Intent

HB 39

Section 1 of the bill requires the board of regents to adopt rules implementing the board's powers and duties. The legislature intends these rules to encompass the full range of board powers and duties and intends that the board begin the process of adopting rules prior to the July 1, 1987, effective date for implementation of the act.

The board should study the office of public instruction's postsecondary vocational-technical education rules, which are superseded by this act, since these rules may give the board guidance.

And, as amended, do pass. Report adopted.

HB 83, introduced bill, be amended as follows:

1. Title, line 5.

Following: "AUTHORIZE"

Insert: "CERTAIN"

2. Title, lines 6 and 7.

Strike: "WITH" on line 6 through "RENEW" on line 7

Insert: "UNDER CERTAIN CIRCUMSTANCES; PERMITTING RENEWAL OF"

3. Page 2, line 1.

Strike: "when"

Insert: "of a district located wholly or partially within or adjacent to the exterior boundaries of an Indian reservation if:

(i) in a first- or second-class district,"

4. Page 2, line 3.

Following: ".,"

Insert: "or

(ii) in a third-class district, all of the trustees approve the appointment of a person related to a trustee;"

And, as amended, do pass. Report adopted.

HB 483, do pass. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman):

2/10/87

HB 536, introduced bill, be amended as follows:

1. Page 4, line 15.

Following: "chapter"

Insert: "and rules adopted by the department under this chapter, and, prior to each operation, must register with the local health officer or sanitarian on forms provided by the department"

And, as amended, do pass. Report adopted.

HB 614, introduced bill, be amended as follows:

1. Page 3, lines 3 through 7.

Strike: section 2 in its entirety

And, as amended, do pass. Report adopted.

HB 615, do pass. Report adopted.

Adverse Committee Reports

HB 490, do not pass. Chairman Gould moved to adopt the committee report. Motion carried as follows:

2/7/87

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Sands.

Total 1

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: Hannah, Manuel, Moore, O'Connell, Squires, Stang.
Total 6

HB 543, do not pass. Chairman Gould moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 95

Noes: Sands, Spaeth, Whalen.
Total 3

Excused: Eudaily, Kennerly.
Total 2

Absent or not voting: None.
Total 0

JUDICIARY (Lory, Chairman):

2/10/87

HB 163, introduced bill, be amended as follows:

1. Page 2, line 7.
Strike: "lessened to the slightest degree"
Insert: "diminished"

And, as amended, do pass. Report adopted.

HB 262, do pass. Report adopted.

HB 301, do pass. Report adopted.

HB 367, do pass. Report adopted.

HB 554, do pass. Report adopted.

HJR 13, introduced bill, be amended as follows:

1. Page 2.
Following: line 3
Insert: "(1)"
2. Page 2.
Following: line 9
Insert: "(2) That if passed, the Secretary of State shall send a copy of this joint resolution to each Supreme Court Justice and District Court Judge."

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

2/9/87

Adverse Committee Reports

HB 531, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "AND"
Insert: "OR"

2. Page 1, line 19.

Strike: "and"

Insert: "or"

3. Page 1, line 20.

Following: "provides"

Insert: "or both a reduction in hours and services"

4. Page 2, line 9.

Strike: "shall"

Insert: "may elect to"

And, as amended, do not pass.

Chairman Wallin moved to adopt the committee report. Representative Ellison made a substitute motion that the adverse committee report be rejected and the bill be returned to the Committee on Local Government. Motion carried.

MESSAGES FROM THE OTHER HOUSE

Senate reconsidered their action in adopting adverse committee reports and requested the return of the following bills for further consideration: 2/9/87

HB 166, introduced by Jones

HB 170, introduced by Jones

House bill concurred in and returned to the House:

2/9/87

HB 108, introduced by Simon

MOTIONS

Representative Hannah moved that the House accede to the request of the Senate and return HB 166 and HB 170 for further consideration. Motion carried. (97-0)

Representative Campbell moved that HB 201 be taken from second reading and rereferred to the Committee on State Administration. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 681, introduced by Daily. Referred to Committee on State Administration.

HB 682, introduced by Spaeth, McLane, Stang, Giacometto, Asay, Keller, Abrams, E. Smith. Referred to Committee on Education and Cultural Resources.

HB 683, introduced by Keenan, Harrington, Driscoll, Eck, O'Connell, Miller, Nisbet, Menahan, Ream, Haffey, Jacobson, Yellowtail, Quilici, Walker, Stimatz, Darko, Pavlovich, Lynch, Manning, Whalen, Daily. Referred to Committee on Education and Cultural Resources.

HB 684, introduced by Whalen, Driscoll. Referred to Committee on Judiciary.

HB 685, introduced by Whalen, Driscoll. Referred to Committee on Judiciary.

HB 686, introduced by Cohen, Sands. Referred to Committee on Human Services.

HB 687, introduced by Simon, Lybeck, J. Brown, Pinsoneault, Lynch, Pavlovich, Spaeth, Wallin, Rasmussen, Poulsen, Hager. Referred to Committee on Judiciary.

HB 688, introduced by D. Brown, Gage, Menke, Kolstad, Tveit, Bengtson, Ramirez, Iverson. Referred to Committee on Taxation.

HB 689, introduced by Swift, Rehberg, C. Smith, Jones, Manuel, Driscoll, Hannah, Hoffman, Severson, Blaylock, Marks. Referred to Committee on Business and Labor.

HB 690, introduced by Glaser, Brandewie. Referred to Committee on Human Services.

HB 691, introduced by Bradley, Neuman, E. Smith. Referred to Committee on Business and Labor.

HB 692, introduced by J. Brown, Grady. Referred to Committee on Local Government.

HB 693, introduced by Mercer, Cobb, Winslow, Peck, Poulsen, Rehberg, Marks, Ramirez, Spaeth, Thoft, Menke, Nathe, Devlin, Swift, Iverson, Switzer, Hoffman, Miller. Referred to Committee on State Administration.

HB 694, introduced by Thomas, Gilbert, C. Smith, Jones, Spaeth, Miles, Iverson. Referred to Committee on Business and Labor.

HB 695, introduced by Keenan, Jacobson, Eck, Blaylock, Yellowtail, Driscoll, Haffey, J. Brown, Harper, Abrams, Squires, Manning. Referred to Committee on Human Services.

HB 696, introduced by Hannah. Referred to Committee on Judiciary.

HB 697, introduced by Connelly, Lybeck, Vincent, Moore, Sales, Lory, Bradley, Harding. Referred to Committee on Local Government.

SPECIAL ORDERS OF THE DAY

The Speaker asked Representatives Quilici and Hannah to escort to the rostrum the junior Senator, the Honorable Max Baucus. Senator Baucus gave the following address:

Mr. Speaker, Mr. Minority Leader, distinguished members of the House, Fellow Montanans:

It's good to be among elected colleagues. I know you're facing difficult decisions affecting our state's budget and economy. I know the 50th Legislature already has been frustrating. And I know that some of the toughest decisions are yet to come. I don't envy your task. But I am here today to tell you that it is not just your task. It is our task; the task of all Montanans.

Standing here, I can't help thinking back to the 43rd Legislature, when I served with many of you.

I sat with the Missoula delegation. Doc Norman was my seatmate and Hal Harper was a republican. It was the first session after we'd adopted our new constitution.

Things were pretty easy then. Our economy was on a roll. We had revenue, and lots of it. The hottest debate was what to do about the budget surplus. That's right - the surplus!

Gene Donaldson and Francis Bardanoue's job would have been much easier then.

Now, our economy seems trapped in a tight downward spiral, creating persistent budget deficits. The temptation is to be pessimistic. But we must remember that our greatest resource isn't our minerals or farmland, or even our majestic landscape. Our greatest resource is the character of our people. It's our ability to dig down deep to overcome adversity and find a way, together, to get on with the job.

We must remember, too, that Montana isn't alone — not by a long shot.

Hard times have swept across no less than 30 states, including most of the Mountain West. Even former high-growth states like Wyoming are losing jobs and people.

There's no mystery to why this is happening. The global economy isn't changing, it has changed. It has changed dramatically and that change has a profound effect on Montana!

- The worldwide glut of agricultural commodities has reduced U.S. exports from \$44 billion in 1980 to \$26 billion in 1986. In the meantime, we've stockpiled enough surplus wheat to bake 22 loaves of bread for every man, woman, and child alive.
- OPEC is destabilizing our energy industry. The price of oil fell by 50% from \$25 a barrel in 1985 to \$12 in 1986. For every one-dollar drop, our state loses \$4 million in state and local revenue.
- The shift into the computer age is reducing the need for natural resources. Forty-percent of the price of an automobile represents natural resource costs. But for a semiconductor microchip, it's only three percent.
- And all our foreign competitors have been increasing their productivity faster than we have — Japan three times faster. Seventy-five percent of U.S. industries now face foreign competition. We're importing two-thirds of our TV's and radios, one-third of our lumber, and one-fourth of our copper.

For the most part, Montana isn't to blame. These are developments caused by advances in worldwide technology, and by decisions made, not only in Washington, D.C., but in Tokyo, Seoul, Taipei, Ottawa, and Bonn.

For years, America has played the patsy. We've been naive. We've tried to achieve free trade by example. But other countries haven't followed our example. They've protected their own markets. And they've subsidized the invasion of ours.

Japan, for example, blocks our beef exports. Canada floods our market with subsidized lumber. The European community heavily subsidizes wheat exports, and will soon pass the United States as the leading wheat exporter to the world. Moreover, almost half of the free world's copper is produced from government-owned mines that can ignore the ordinary rules of supply and demand. Montana industries can slug it out with anybody, but not with one hand tied behind their backs!

As a member of the Senate Finance Committee, which has primary jurisdiction over trade, I'll be working to produce a solid trade law reform bill — a bill that increases Montana exports, and cracks down on unfair trade practices.

Next, we need to overhaul our farm policy. We're spending \$26 billion a year for a policy that just doesn't work. We should be using our grain to recapture world markets rather than leaving it to rot in government bins.

Proposals I have made would do just that, and would put an end to the embargoes and other political games that have made us unreliable suppliers. The livelihood of the American farmer should not be held hostage to short-term political expediency.

Finally, we need to fight cheap foreign labor with smart American labor. For years, we were able to offset low foreign wage rates with superior American technology. That's changing. We are losing our technological advantage.

-Last year, 40% of all U.S. patents went to foreigners.

-Japan produces twice as many engineers, per capita, as we do. And, I might add, one-sixth as many lawyers.

-And American kids are finishing dead last in many international exams.

To turn this around, we need federal policies that encourage innovation and encourage greater cooperation between business and university research.

We also need to restore a decent level of support for education — not just moral support but dollars and cents support. We can't have a world-class economy unless we have world-class schools.

As chairman of the Senate Taxation Subcommittee, I am working to improve the tax credit for research and development and training. For example, I'll be introducing legislation to help states give displaced workers the skills they need in a changing job market.

What we do in Washington is only half of it. What we do at home is the second half. We should recognize our strengths, and build on them!

It's been said that Montana is "the last of what's best in America." That's because of:

-our independence;

-our generosity;

-our clean air and flowing streams;

-our basic economic resources;

-our safe streets;

-and our strong commitment to education.

When we bring these values together, we're unbeatable. But that's going to take vision, creativity, and hard work.

We should not approach economic development as a painful choice between jobs, on one hand, and our traditional lifestyle, on the other. We should approach it as a combination of both.

Let me give you three examples.

The first is tourism.

By the year 2000, 35 million people in the United State will be 65 or older. Many will be retired, healthy and affluent. Montana is one of the most beautiful places in the world. We all know that. But we have to let other people know it, too. We have to tell them about Glacier, Red Lodge, and Big Sky. Otherwise, they and their dollars will go to Alberta or Alaska — areas that are promoting themselves all around the world. If you were watching the NFL playoffs, you probably saw the commercial for Alaska vacations. We've got to match that.

The second example is value-added processing.

When MIT economist David Birch spoke in Butte recently, he said that Montana was like a third-world nation, shipping natural resources elsewhere for processing. We have to bring those processing jobs home — the mills, the packing plants, the factories.

We have the workers and the skills right here in Montana. In fact, we have the fourth-highest rate of value-added per worker of any state. And companies like Columbia Falls Aluminum, Semi-Tool of Kalispell, and T-Bone Feeders prove it can be done.

The third example is technology companies — high tech, mid tech, and low tech!

Montana is not going to become another Silicon Valley. But we do have a greater technology potential than we sometimes think.

More than anything else, technology companies are looking for a well-educated workforce. That we have.

- Montana has the 4th highest literacy rate in the country.
- Montana has one of the best high-school graduation rates in the country.
- Twenty-five percent of the students at MSU are in engineering.
- Western Montana College has one microcomputer for every seven students.
- And U of M has produced 22 Rhodes scholars — ranking 19th of 3300 colleges and universities.

Some Montana companies have already become technology leaders. Companies like:

- Chromatochem of Missoula, working with the University of Montana to produce filter units that remove impurities from drugs; and
- RIBI Immunochem of Hamilton, which has developed new ways to strengthen the human and animal immune systems against disease.

To build on our base of existing companies, we must maintain our commitment to educational excellence. British statesman Benjamin Disraeli said that “A nation’s youth are the trustees of prosperity.” Well, our youth are the trustees of our prosperity.

And, again, we all have to become better salesmen. Let’s face it. Most major American companies just don’t expect to find the foundation for an aggressive technology industry in Montana. They still think we’re some kind of economic backwater. So we have to go out and sell them on Montana.

Last summer, for example, I invited several major companies to Big Sky to learn about the potential for investment in Montana — companies like Digital, Advanced Micro Devices, and Abbott Laboratories.

I constantly run into representatives of these companies who go out of their way to tell me how surprised and impressed they were by what they found. In fact, several of the companies that visited Big Sky are now looking into specific ventures in Montana. We all must do more of this. We must bring the world to Montana, and Montana to the world.

One of the nicest things about addressing this chamber is standing beneath Charlie Russell’s famous painting, “Lewis and Clark Meeting the Flathead Indians at Ross’ Hole.”

One of Charlie’s other masterpieces is called “Pardners.” It shows a cowboy cooking his meal over an evening fire, while his horse noses in to glimpse the fare — partners.

That's how we'll overcome our problems and adjust to economic change — as partners.

Montanans are counting on us — all of us — here in Helena — back in Washington, D.C. We each have our own angle, our own slightly different slant on things. But in the end, Montanans are striving for the same basic goals. We want decent jobs for ourselves and our children, and a quiet place to hunt and fish. We should embrace these common values now, and build upon the best that's in Montana.

The pledge I bring here today is to do my part. I'll do everything in my power to work with you to lead our state forward.

These are tough times. And during tough times we have to share a common meal. We are in fact partners.

Thank you.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Daily in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 180 - Representative Fritz moved that HB 180, second reading copy, be amended as follows:

1. Title, line 9.

Following: "DATE"

Strike: "AND"

Insert: " , "

2. Title, line 10.

Following: "DATE"

Insert: " , AND A TERMINATION DATE"

3. Page 4.

Following: line 18

Insert: "NEW SECTION. Section 6. Termination date. This act terminates June 30, 1989."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Kadas, Ream.

Total 2

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: None.

Total 0

Representative Poulsen moved that HB 180, second reading copy, be further amended as follows:

1. Page 3, line 16.

Strike: "opens"

Insert: "mails an invitation for"

Following: "or"

Insert: "a request for"

Strike: "if"

2. Page 3, lines 18 through 22.

Strike: "is" on line 18 through "18-4-306" on line 22

Insert: "may be registered as a bid if it meets the specifications, terms, and delivery requirements of the invitation for bid or request for proposals. The department shall certify the exact time that the advertised or catalog price was received before the invitation for bids or request for proposals was mailed. An advertised or established catalog price registered as a bid must be available for inspection to all prospective bidders"

3. Page 4, line 4.

Strike: "purchase"

Insert: "the mailing of the invitation for bids or request for proposals"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: None.

Total 0

Representative Fritz moved that HB 180, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp,

Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 95

Noes: Cobb, Harper, Winslow.

Total 3

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: None.

Total 0

HB 232 - Representative Thomas moved that HB 232 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: Ellison.

Total 1

HB 305 - Representative Cohen moved that HB 305 do pass. Motion failed. (44-52)

Representative Mercer moved that HB 305 do not pass. Motion carried as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Daily, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Menke, Mercer, Miller, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Simon, Smith, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Mr. Speaker.

Total 54

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Darko, DeMars, Driscoll, Fritz, Harp, Harrington, Holliday, Jenkins, Kadas, Keenan, Manuel, Menahan, Meyers,

Miles, Moore, Nisbet, Pistoria, Poff, Poulsen, Quilici, Raney, Ream, Russell, Sands, Schye, Spaeth, Strizich, Whalen, Williams.

Total 40

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: Hansen, Harper, O'Connell, Winslow.

Total 4

HB 372 - Representative Miller moved that HB 372 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Glaser, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Campbell, Devlin, Fritz, Giacometto, Gilbert, Gould, Grinde, Hannah, Keller, Kitselman, Meyers, Nelson, Simon, Switzer, Swysgood, Wallin.

Total 16

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: None.

Total 0

HB 428 - Representative Connelly moved that HB 428 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: D. Brown.

Total 1

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: McCormick.

Total 1

HB 435 - Representative Brandewie moved that HB 435 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Addy, D. Brown, Driscoll, Kadas, Raney, Strizich, Whalen.

Total 7

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: None.

Total 0

HB 437 - Representative Swysgood moved that HB 437 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Hannah, Spaeth.

Total 2

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: DeMars.

Total 1

HB 446 - Representative Switzer moved that HB 446 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth,

Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: Nathe, Williams.

Total 2

HB 516 - Representative Manuel moved that HB 516 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: None.

Total 0

HB 573 - Representative Winslow moved that HB 573 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Addy, D. Brown, Connelly, Fritz, Hansen, Harrington, Kadas, Menahan, Nisbet, Ream, Whalen.

Total 11

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Daily moved the adoption of the committee report. Report adopted. (92-5)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 102 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Donaldson, Ellison, Fritz, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Moore, Pavlovich, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Schye, Smith, Spaeth, Stratford, Strizich, Switzer, Swysgood, Vincent, Williams, Winslow, Mr. Speaker.

Total 69

Noes: Bachini, Campbell, Connelly, Devlin, Driscoll, Glaser, Grinde, Hannah, Lory, Menke, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Rehberg, Sands, Simon, Squires, Stang, Swift, Thoft, Thomas, Wallin, Whalen.

Total 28

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: Giacometto.

Total 1

HB 413 passed as follows:

Ayes: Addy, Asay, Bachini, Brandewie, J. Brown, Campbell, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 74

Noes: Bardanouve, Bradley, D. Brown, Bulger, Cobb, Cody, Cohen, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Menahan, Miles, Miller, Moore, Nisbet, Ream, Russell, Spaeth, Stang, Whalen.

Total 24

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: None.

Total 0

HB 427 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Cohen, Meyers.

Total 2

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: None.

Total 0

HB 485 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: None.

Total 0

HB 517 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: None.

Total 0

HB 549 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Campbell, Giacometto, Glaser, Meyers, Swysgood.

Total 5

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: None.

Total 0

HB 569 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cohen, Devlin, Giacometto, Hansen, Peck, Switzer.

Total 6

Excused: Eudaily, Kennerly.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Representative Donaldson moved that HB 232 and HB 372 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Mercer moved that Gould be added as a sponsor to HB 674. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:00 p.m., February 11, 1987.

Motion carried.

House adjourned at 4:50 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

THIRTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 11, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Keller. Pledge of Allegiance to the Flag.

Roll call. All members present except Giacometto, Kennerly, and Peterson, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-second legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/11/87

Correctly printed: HB 39, HB 83, HB 94, HB 163, HB 221, HB 262, HB 301, HB 367, HB 396, HB 443, HB 483, HB 536, HB 537, HB 541, HB 554, HB 614, HB 615, HJR 13.

Correctly engrossed: HB 180, HB 428, HB 435, HB 437, HB 446, HB 516, HB 573.

Correctly enrolled: HB 61, HB 91, HB 103, HB 108, HB 109, HB 181, HB 190, HB 215, HB 226, HB 227.

Examined by the sponsor and found to be correct:

HB 20 - Schye	HB 181 - Nelson
HB 61 - Harper	HB 190 - Nelson
HB 91 - Hayne	HB 215 - Corne'
HB 108 - Simon	HB 226 - Spaeth
HB 109 - Swysgood	HB 227 - Nelson

Signed by the Speaker at 5:05 p.m., 2/10/87: HB 30.

Signed by the Speaker at 6:00 p.m.: HB 61, HB 91, HB 103, HB 108, HB 109, HB 181, HB 190, HB 215, HB 226, HB 227.

Delivered to the Governor for his approval at 1:45 p.m.: HB 30.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman):

2/11/87

HB 461, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent HB 461

A statement of intent is required for this bill because it provides the department of agriculture authority to adopt rules for administration of this act.

It is the intent of the legislature that the department establish rules for the detection of pest honeybees by using the most efficient, scientifically acceptable method of identifying pests.

It is further the intent of the legislature that the department establish by rule a fee structure for laboratory services. The department should set fees to correspond with the costs of providing services. These costs include both direct and indirect costs, plus expenses associated with operation of the laboratory authorized under section 9.

In setting fees, the department may take into consideration the economic difficulties of the apiary industry and may reduce fees as may be necessary to promote increased use of services. The department may provide services

at less than cost if alternative funding is available or if the economic conditions of the industry require the reduction of charges.

In addition, it is the intent of the legislature that the department establish by rule an effective method for conducting quarantines to prevent the entry and spread of harmful honeybee pests and diseases, such as Africanized honeybees and honeybee mites. It is contemplated that the department quarantine any apiary where pest honeybees or any contagious or infectious diseases are present and, during the quarantine, prevent the removal from the apiary of any bees or equipment.

BUSINESS AND LABOR (Kitselman, Chairman):

2/11/87

HB 373, introduced bill, be amended as follows:

1. Page 1, line 23 through page 2, line 3.

Following: "workload." on page 1, line 23

Strike: remainder of line 23 and lines 24 and 25 on page 1 in their entirety, and page 2, lines 1 through 3 in their entirety

Insert: "The open file is the workload indicator for claims processing, and the number of open claims per claims examiner may not be less than 300. The claims support staff, including the file, medical pay, and new claims units, may not exceed two FTEs per claims examiner. The administrative and underwriting staffing must be based on the number of premium paying policyholders and may not exceed 1.4 FTEs per 1,000 policyholders."

2. Page 2, line 6.

Following: "committee"

Insert: "for review and approval"

3. Page 3, line 4.

Following: "The"

Insert: "goal of the"

Following: "division"

Strike: "shall"

Insert: "is to"

And, as amended, do pass. Report adopted.

HB 389, introduced bill, be amended as follows:

1. Page 1, line 15.

Strike: "FEbruary 15"

Insert: "January 1"

2. Page 1, lines 23 and 24.

Strike: "FEbruary 15"

Insert: "January 1"

3. Page 1, line 25.

Following: "(a)"

Insert: "within 45 days after January 1,"

And, as amended, do pass. Report adopted.

HB 426, do pass. Report adopted.

HB 476, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "INCOME AND"

2. Title, line 6.

Strike: "SECTIONS" through "AND" on line 7

Insert: "SECTION"

3. Page 1, line 10.

Strike: "15-30-303" through "Section 2. Section" on line 19 of page 4

Renummer: subsequent section

And, as amended, do pass. Report adopted.

HB 487, do pass. Report adopted.

HB 488, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "1989"

Insert: "1991"

And, as amended, do pass. Report adopted.

HB 499, do pass. Report adopted.

HB 505, do pass. Report adopted.

HB 507, do pass. Report adopted.

HB 508, do pass. Report adopted.

HB 562, introduced bill, be amended as follows:

1. Title, line 13.

Following: "16-2-203,"

Strike: "16-2-302, 16-2-303,"

2. Title, line 17.

Following: "16-2-301"

Insert: "THROUGH 16-2-303"

3. Page 1, line 24.

Following: "liquor"

Strike: "and table wine"

4. Page 12, line 4.

Following: "liquor"

Strike: "and the sale of table wine"

5. Page 14, line 1.

Following: "liquor"

Strike: "and table wine"

6. Page 14, line 4.

Following: "liquor"

Strike: "and table wine"

7. Page 14, line 7.

Following: "liquor"

Strike: "or table wine"

8. Page 15, line 5.

Following: "liquor"

Strike: "and table wines"

9. Page 18, line 1.

Following: "liquors"

Strike: "and table wine"

10. Page 20, line 15.

Following: "liquor"

Strike: "and table wine"

11. Page 20, line 22.

Following: "liquor"

Strike: "and table wine"

12. Page 22, line 16.

Following: "liquor"

Strike: "or table wine"

13. Page 22, line 24.

Following: "liquor"

Strike: "or table wine"

14. Page 31.

Following: line 8 on page 31

Strike: sections 23 and 24 in their entirety

Renumber: subsequent sections

15. Page 33, line 25.

Following: "is to"

Strike: "maintain a system for the importation and sale of wine by the state through the state warehouse and"

16. Page 44, line 18.

Following: "liquor"

Strike: "and table wine"

17. Page 50, line 21.

Following: "organization"

Insert: ", \$800 for a package store license,"

18. Page 51, line 4.

Following: "organization"

Insert: ", \$900 for a package store license,"

19. Page 51, line 11.

Following: "organization"

Insert: ", \$1,050 for a package store license,"

20. Page 53, line 7.

Following: "with"

Strike: "a \$1,200"

Insert: "an"

Following: "fee"

Insert: "as provided in subsection (7)"

21. Page 57, line 4.

Following: "that"

Insert: "originally"

22. Page 57, line 7.

Following: "not"

Insert: "originally"

23. Page 57, line 15.

Following: "license."

Insert: "A licensee may purchase liquor from another licensee if the liquor was originally purchased from the state warehouse."

24. Page 59, line 2.

Following: "16-2-301"

Insert: "through 16-2-303"

25. Page 59, line 12.

Following: "Sections 1,"

Strike: "40, and 42 through 44"

Insert: "38, and 40 through 42"

And, as amended, do pass. Report adopted.

HB 574, do pass. Report adopted.

Adverse Committee Reports

HB 497, as amended, do not pass.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

2/11/87

HJR 11, do pass. Report adopted.

HJR 16, do pass. Report adopted.

FISH AND GAME (Ellison, Chairman):

2/10/87

HB 298, introduced bill, be amended as follows:

1. Title, line 8.

Following: "SPECIAL"

Strike: "LICENSE"

Insert: "PERMIT"

And, as amended, do pass. Report adopted.

HB 424, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

2/10/87

HB 28, introduced bill, be amended as follows:

1. Title, line 7.

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS 61-10-148 AND"

2. Page 1, line 13.

Following: "provided in"

Strike: "subsection (2)"

Insert: "61-10-148(2)"

3. Page 1, line 25 through line 7, page 2.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

4. Page 2.

Following: line 13

Insert: "Section 2. Section 61-10-148, MCA, is amended to read:

"61-10-148. Disposition of fines and forfeited bonds. (1) Except as provided in 61-12-701, and subsection (2), one-half of all the money collected as fines and forfeited bonds for violations of Title 61, chapter 10, must be remitted monthly by the county treasurer to the state treasurer for deposit in the state highway account in the state special revenue fund. The remaining half, less the deductions required by law, must be deposited in the county road fund.

(2) If the apprehension or arrest was for a violation of Title 61, chapter 10, and if the offense occurred on a road or highway not included under 60-2-105 and 60-2-203, all money collected as fines and forfeited bonds must be distributed to the county treasurer for deposit in the county road fund."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 221, do pass. Report adopted.

HB 396, do pass. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

2/11/87

HB 612, do pass. Report adopted.

HB 624, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "INCREASE FROM"

2. Title, line 5.

Strike: "\$10,000 TO"

Insert: "AUTHORIZE THE USE OF PUBLIC AUCTIONS FOR A PURCHASE NOT TO EXCEED"

Strike: "THE AMOUNT IN"

Insert: "UNDER"

3. Title, line 6.

Strike: "FOR WHICH ADVERTISEMENTS FOR BIDS ARE GENERALLY REQUIRED"

4. Page 1, line 13.

Following: "7-5-4303"

Insert: "or [section 2]"

5. Page 1, line 18.

Strike: "\$25,000"

Insert: "\$10,000"

6. Page 2.

Following: line 11

Insert: "NEW SECTION. Section 2. Use of public auction to make purchase. In lieu of soliciting bids, the council may purchase at public auction any vehicle, machinery, appliances, apparatus, building, or materials and supplies for which must be paid a sum less than \$25,000."

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 338, as amended, do not pass.

HB 380, do not pass.

HB 560, do not pass.

HB 561, do not pass.

NATURAL RESOURCES (Jones, Chairman):

2/10/87

HB 358, introduced bill, be amended as follows:

1. Title, lines 5 through 7.

Following: "TO"

Strike: lines 5 through 7 in their entirety

Insert: "CLARIFY EXISTING LAW REGARDING STATE-OWNED WATER PROJECTS TO SPECIFY THAT ADMINISTRATIVE COSTS ARE DISTINCT FROM OPERATION AND MAINTENANCE COSTS, THAT PROJECT WATER USERS ARE ONLY BILLED FOR REIMBURSEMENT OF OPERATION AND MAINTENANCE COSTS, AND THAT THE DEPARTMENT MAY UTILIZE STATE GRANTS AS REIMBURSEMENT FOR PUBLIC BENEFITS TO BE DERIVED FROM THE PROJECT; TO ALLOW THESE GRANTS TO BE FACTORED INTO THE REQUIRED ESTIMATE OF PROJECT COSTS MADE PRIOR TO CONSTRUCTION; TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO CONSIDER WATER USERS' ABILITY TO REPAY PROJECT CONSTRUCTION AND REHABILITATION COSTS;

AND AMENDING SECTIONS 85-1-102, 85-1-206, AND 85-1-207, MCA."

2. Page 6, lines 11 and 12.

Strike: "the" on line 11 through "expenses," on line 12

3. Page 6, lines 16 and 17.

Strike: "administrative" on line 16 through "the" on line 17

4. Page 8.

Following: line 10

Insert: "NEW SECTION. Section 4. Extension of authority. Any existing authority of the board of natural resources and conservation to make rules on the subject of the provisions of this act is extended to the provisions of this act."

And, as amended, do pass. Report adopted.

HB 404, introduced bill, be amended as follows:

2/9/87

1. Page 1, lines 19 and 20.

Strike: "submission" on line 19 through "department" on line 20

Insert: "the commencement of a noncontested case proceeding"

And, as amended, do pass. Report adopted.

HB 453, introduced bill, be amended as follows:

1. Title, line 5.

Following: "TO"

Strike: "REPRESENT"

Insert: "SERVE AS AN OMBUDSMAN FOR"

Following: "INDUSTRY"

Strike: " , "

Insert: "AND"

2. Title, line 6.

Following: "RECREATIONISTS"

Strike: " , AND OTHER INTERESTED PERSONS"

3. Page 2, lines 16 and 17.

Strike: "represent"

Insert: "serve as an ombudsman for"

Following: "industry"

Strike: " , "

Insert: "and"

Following: "recreationists"

Strike: " , " on line 16 through "persons" on line 17

And, as amended, do pass. Report adopted.

HB 534, introduced bill, be amended as follows:

1. Title, line 8.

Following: "DIOXIDE"

Insert: "IN AREAS CURRENTLY EXCEEDING THE STATE ANNUAL AVERAGE AND 24-HOUR AVERAGE STANDARDS; REQUIRING THE BOARD OF HEALTH AND ENVIRONMENTAL SCIENCES TO STUDY THE HEALTH EFFECTS OF SULFUR DIOXIDE IN AREAS WITH MAJOR INDUSTRIAL SOURCES"

2. Page 1, line 23.

Strike: "0.14"

Insert: "0.10"

3. Page 1, line 25.

Following: "year"

Insert: ", except that persons causing or contributing to ambient 24-hour average concentrations of sulfur dioxide that exceeded more than once 0.10 parts per million during 1985 must be considered in compliance with this rule if ambient concentrations do not exceed 0.14 parts per million more than once per year"

4. Page 2, line 1.

Strike: "0.03"

Insert: "0.02"

5. Page 2, line 2.

Following: "exceeded"

Insert: ", except that persons causing or contributing to ambient annual concentrations of sulfur dioxide that exceeded 0.02 parts per million during 1985 must be considered in compliance with this rule if ambient concentrations do not exceed 0.03 parts per million"

6. Page 2.

Following: line 7

Insert: "NEW SECTION. Section 2. Study of effects of sulfur dioxide on health and environment. (1) To the extent that funds are available, the board shall conduct an ongoing study in areas of Montana where there are major industrial sources of sulfur dioxide. The study shall concentrate on the effects on human health and the environment of ambient sulfur dioxide concentrations separately and in conjunction with particulates.

(2) Notwithstanding other funding sources to pay for the study, the board may accept funds and grants from private and public sources within the area of study.

NEW SECTION. Section 3. Codification instruction. Section 2 is intended to be codified as an integral part of Title 75, chapter 2, part 2, and the provisions of Title 75, chapter 2, part 2, apply to section 2."

Renumber: subsequent sections.

Committee attached the following statement of intent:

Statement of Intent

HB 534

A statement of intent is included with this bill to clarify the intent of the legislature in changing the ambient air quality standards for sulfur dioxide. The legislature recognizes that sulfur dioxide concentrations in the Billings area exceed existing standards; that the industrial sources of sulfur dioxide in the Billings area are important to the local and state economies; that enforcement of the existing standards may present an economic hardship to affected industries; and that these industries have committed to voluntarily reducing sulfur dioxide emissions. It is the intent of the legislature to request that these plans for voluntary sulfur dioxide emission reductions, including the specific measures that will be utilized and the conditions under which they will be implemented, be submitted to the 50th legislature, the board of health and environmental sciences, and the Yellowstone county commission. These plans will not be considered binding agreements, but will serve to inform the legislature, affected parties, and the citizens of Billings of what efforts will be made to improve existing air

quality. This information will also enable local and state authorities to consider the benefits that may result from voluntary emission control techniques.

It is further the intent of the legislature as expressed in this bill to ensure that ambient standards for sulfur dioxide not be relaxed in other areas of the state that do not have a concentration of industrial sources, as characterizes the Billings area.

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/11/87

HB 364, introduced bill, be amended as follows:

1. Page 2, line 2.

Following: "(2)"

Insert: "(a)"

2. Page 2, line 10.

Following: "appointment"

Insert: ", except as provided in subsection (2)(b)"

3. Page 2.

Following: line 12

Insert: "(b) The provision in subsection (2)(a) requiring a licensed member to have actively practiced in this state for at least 5 continuous years immediately before his appointment does not apply to the first denturist appointed to the board."

And, as amended, do pass. Report adopted.

HB 504, do pass. Report adopted.

Adverse Committee Reports

HB 418, as amended, do not pass.

HJR 22, do not pass.

TAXATION (Asay, Vice-Chairman):

2/10/87

HB 282, do pass. Report adopted.

HB 457, do pass. Report adopted.

HB 523, introduced bill, be amended as follows:

1. Title, line 8.

Following: "PROVIDING"

Insert: "AN APPLICABILITY DATE AND"

2. Page 5.

Following: line 20

Insert: "NEW SECTION. Section 5. Applicability. This act applies to individual income tax returns filed for taxable year 1987."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

2/11/87

HB 361, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House:

2/10/87

HB 204, introduced by Fritz

SPECIAL ORDERS OF THE DAY

The Speaker asked Representatives Menahan and Eudaily to escort Albert Shanker, President of the American Federation of Teachers, to the rostrum. The Speaker introduced him as follows:

"Mr. Shanker ... appears very much the educational statesman" read the headline in the New York Times. These words more than anything else sum up Albert Shanker's contributions to American public education and labor.

Mr. Shanker was a key contributor to reports published by the Carnegie Forum on Education and the Economy, and the Committee for Economic Development. He has been a longtime proponent of increasing partnerships between the business and education communities, increasing the stature of the teaching profession and revitalizing and restructuring American public education.

Mr. Shanker, who also is a vice-president of the national AFL-CIO, writes a weekly column which appears in the Sunday New York Times. Where We Stand addresses issues of political, economic and social concern.

It is my pleasure to welcome Albert Shanker to Montana.

Mr. Shanker addressed the assembly and was then escorted from the chambers by Representatives Menahan and Eudaily.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 698, introduced by Driscoll, Hansen, Harper, Bradley. Referred to Committee on Appropriations.

HB 699, introduced by Wallin, Boylan, Hayne, Switzer, Hoffman. Referred to Committee on Business and Labor.

HB 700, introduced by Bradley, Winslow, Vincent, Haffey, Thayer, M. Williams, Regan, Connelly, Blaylock, Van Valkenburg, Ream, Iverson, Spaeth, Peck, McCallum, Nathe, Wallin, Thomas, Farrell, Mercer, Donaldson, Ramirez, Manuel, Schye, Neuman, J. Brown, Addy, Quilici, Pavlovich, Squires, Menahan, Driscoll, Kadas, Daily, Keenan, Harp, Harrington, Abrams, Marks, Halligan, Mazurek, Jergeson, Hirsch, Rehberg, Nisbet, Hansen, Harper, Fritz, Lynch, Miller, Manning, Moore, Stimatz, Crippen, Jones, Lybeck, Raney, Grady, Strizich, Gilbert, Darko, McCormick, Eck, Walker, B. Williams, B. Brown, Corne', Lory, Hofman, Bishop, Pinsonneault, Weeding, Jacobson, (By Request of the Science and Technology Development Board). Referred to Committee on Taxation.

HB 701, introduced by Vincent, Harp, Hansen, Connelly. Referred to Committee on Taxation.

HB 702, introduced by Vincent, Marks. Referred to Committee on Rules.

HB 703, introduced by Gilbert, Thayer, Iverson, Hirsch, Manuel, Crippen, Lynch, J. Brown, D. Brown, Sands, Tveit, C. Smith, Wallin, Poulsen, Bengtson. Referred to Committee on Taxation.

HB 704, introduced by Giacometto, Gould, C. Smith, Menke, Gilbert, Switzer, Devlin, Roth, Sales, Campbell, Poulsen, Peck, Manuel, Bishop, B. Brown, Jones. Referred to Committee on Judiciary.

HB 705, introduced by Phillips. Referred to Committee on Taxation.

HB 706, introduced by D. Brown. Referred to Committee on State Administration.

HB 707, introduced by D. Brown. Referred to Committee on Taxation.

HB 708, introduced by Nelson, Sales, Peterson, Holliday, Kolstad, Fritz, (By Request of the House State Administration Committee). Referred to Committee on State Administration.

- HB 709**, introduced by D. Brown, Marks. Referred to Committee on Taxation.
- HB 710**, introduced by Pistoria, Regan, Lynch, Eudaily, Peck, Eck, Iverson, McCormick, Ream, Blaylock, Harp. Referred to Committee on Education.
- HB 711**, introduced by Rapp-Svrcek, Winslow, Miles, Regan, Hager. Referred to Committee on Human Services.
- HB 712**, introduced by Rapp-Svrcek, Miles, Regan, Hager. Referred to Committee on Human Services.
- HB 713**, introduced by Rapp-Svrcek, Winslow, Miles, Regan, Hager. Referred to Committee on Human Services.
- HB 714**, introduced by Connelly, Vincent, Halligan, Kadas, Brandewie, Walker, Hirsch, Mazurek, E. Smith. Referred to Committee on Taxation.
- HB 715**, introduced by Cobb, Miles. Referred to Committee on Judiciary.
- HB 716**, introduced by J. Brown, Grady, Miles, Rasmussen, Bradley, Mazurek. Referred to Committee on Taxation.
- HB 717**, introduced by J. Brown, Harper, Grady, Donaldson, Rasmussen, Mazurek. Referred to Committee on Taxation.
- HJR 27**, introduced by Phillips, Thayer, O'Connell, Poulsen, Marks, Meyer, Nathe, Roth, Kolstad, Campbell, McCormick, Driscoll, Manuel, Devlin, Neuman, Hanson, Patterson, Pavlovich, Daily, Nisbet, Pistoria, Sales, Stratford, Bachini, Miller, Iverson, Compton, Nelson, Hammond, Harding, Glaser, Tveit, Gage, Farrell, B. Williams, Walker, Swift, Strizich, Beck, Simon, Manning, Lynch, Hirsch, Severson, Brandewie, Hayne, Holliday, Giacometto, Gilbert, Asay, Donaldson, Winslow, Hager, Galt, Crippen, Boylan, DeMars, Thomas, Hannah, E. Smith, Jones, C. Smith, Lory, Wallin, Gould, Thoft, Eudaily, Meyers, Rehberg, McLane, Anderson, Quilici, Keating, Hoffman, Kitselman, Harp, Keller, Ellison, Sands, Mercer, Switzer, Jenkins, Menke, Peterson. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

- SB 10**, introduced by Aklestad. Referred to Committee on Business and Labor.
- SB 92**, introduced by Stimatz. Referred to Committee on Judiciary.
- SB 96**, introduced by Rasmussen. Referred to Committee on Judiciary.
- SB 104**, introduced by Pinsoneault. Referred to Committee on Judiciary.
- SB 105**, introduced by Himsl. Referred to Committee on Human Services.
- SB 109**, introduced by Bishop. Referred to Committee on Fish and Game.
- SB 118**, introduced by Halligan. Referred to Committee on Business and Labor.
- SB 121**, introduced by B. Brown. Referred to Committee on Judiciary.
- SB 130**, introduced by Manning. Referred to Committee on Business and Labor.
- SB 135**, introduced by Bishop. Referred to Committee on Local Government.
- SB 140**, introduced by Mazurek. Referred to Committee on Business and Labor.
- SB 141**, introduced by Bengtson. Referred to Committee on Local Government.
- SB 145**, introduced by Jacobson. Referred to Committee on Taxation.
- SB 146**, introduced by Jacobson. Referred to Committee on Taxation.

- SB 147**, introduced by Jacobson. Referred to Committee on Taxation.
SB 176, introduced by Eck. Referred to Committee on Human Services.
SB 180, introduced by Harding. Referred to Committee on Local Government.
SB 182, introduced by Meyer. Referred to Committee on Business and Labor.
SB 186, introduced by B. Williams. Referred to Committee on Business and Labor.
SB 190, introduced by Lybeck. Referred to Committee on Judiciary.
SB 195, introduced by Rasmussen. Referred to Committee on Judiciary.
SB 197, introduced by Rasmussen. Referred to Committee on State Administration.
SB 202, introduced by Weeding. Referred to Committee on Business and Labor.
SB 230, introduced by Himsl. Referred to Committee on State Administration.
SB 236, introduced by Walker. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ramirez in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 248 - Representative Simon moved that HB 248 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Cohen.

Total 1

Excused: Giacometto, Kennerly, Peterson.

Total 3

Absent or not voting: None.

Total 0

HB 315 - Representative Hoffman moved that HB 315 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Corne', Daily, Darko, DeMars,

Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Lory, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 80

Noes: Asay, Cody, Cohen, Connelly, Grady, Grinde, Holliday, Kadas, Koehnke, McCormick, Manuel, Miller, Nisbet, Russell, Spaeth, Williams.
Total 16

Excused: Giacometto, Kennerly, Peterson.
Total 3

Absent or not voting: O'Connell.
Total 1

HB 325 - Representative Mercer moved that HB 325, second reading copy, be amended as follows:

1. Page 20, line 3.
Strike: "WHO" on line 3 through "AND" on line 4

2. Page 13, line 1.
Following: "40-4-218"
Strike: "and"
Insert: " ,"
Following: "41-3-107"
Insert: " , and 53-5-505"

3. Page 146.
Following: line 4
Insert: "(4) Section 53-2-204 is intended to be renumbered and codified by the code commissioner in the same title, chapter, and part as section 5."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 93

Noes: Peck.
Total 1

Excused: Giacometto, Kennerly, Peterson.
Total 3

Absent or not voting: Donaldson, Ellison, Hannah.
Total 3

Representative Mercer moved that HB 325, as amended, do pass.

Representative M. Williams excused at this time.

After considerable debate, Representative Sales made a substitute motion that HB 325, as amended, do not pass. Motion failed. (26-70)

Representative Bardanouve moved that HB 325, second reading copy, be further amended as follows:

1. Page 16, line 15.

Following: "1987"

Insert: ", adjusted for annual inflation"

2. Page 60, line 15.

Following: "1987"

Insert: ", adjusted for annual inflation"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 84

Noes: Asay, Campbell, Ellison, Gilbert, Jenkins, McCormick, Roth, Switzer, Mr. Speaker.

Total 9

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: Grinde, O'Connell, Strizich.

Total 3

HB 325, as amended, passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hayne, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Rapp-Svrcek, Ream, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Switzer, Thomas, Vincent, Williams, Winslow.

Total 72

Noes: Asay, D. Brown, Campbell, Compton, Devlin, Ellison, Giacometto, Glaser, Grinde, Hanson, Harp, Hoffman, Iverson, Nathe, Ramirez, Raney, Rehberg, Russell, Sales, Stratford, Swift, Swysgood, Thoft, Wallin, Whalen, Mr. Speaker.

Total 26

Paired: Thomas, Williams, Ayes; Giacometto, Russell, Noes.

Excused: Kennerly, Peterson.

Total 2

Absent or not voting: None.

Total 0

HB 387 - Representative Keenan moved that HB 387 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Vincent, Whalen, Winslow, Mr. Speaker.

Total 88

Noes: Devlin, Grinde, Meyers, Patterson, Swift, Thomas, Wallin.

Total 7

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: Ellison.

Total 1

HB 471 - Representative Darko moved that HB 471, second reading copy, be amended as follows:

1. Page 2, line 13.

Strike: ""dietetics""

Insert: ""dietetics-nutrition""

2. Page 7, line 8.

Strike: "dietitian or"

3. Page 8, line 5.

Strike: "dietitian or"

4. Page 10, line 22.

Strike: "dietetics"

Insert: "dietetics-nutrition"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 90

Noes: Menke.

Total 1

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: Ellison, Menahan, Nelson, Schye, Mr. Speaker.

Total 5

Representative Cohen moved that HB 471, second reading copy, be further amended. Amendment failed. (38-56)

Representative Darko moved that HB 471, as amended, do pass. Representative Cohen made a substitute motion that HB 471, second reading copy, be further amended. Amendment failed. (25-69)

HB 471, as amended, passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 83

Noes: Cohen, Ellison, Grady, Hannah, Hoffman, Mercer, Meyers, Nathe, Russell, Sales, Swift, Switzer, Whalen, Mr. Speaker.

Total 14

Paired: Williams, Aye; Cohen, No.

Excused: Giacometto, Kennerly, Peterson.

Total 3

Absent or not voting: None.

Total 0

HB 473 - Representative Brandewie moved that HB 473 do pass. Motion carried as follows:

Ayes: Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, DeMars, Donaldson, Driscoll, Ellison, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Thoft, Thomas, Vincent, Wallin, Winslow.

Total 66

Noes: Addy, Asay, Bachini, Bardanouve, Bulger, Campbell, Corne', Daily, Eudaily, Fritz, Hansen, Harper, Hoffman, Kadas, Koehnke, Nathe, Pavlovich, Peck, Poulsen, Raney, Ream, Sales, Spaeth, Squires, Swift, Switzer, Swysgood, Whalen, Mr. Speaker.

Total 29

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: Devlin.

Total 1

HB 555 - Representative Sands moved that HB 555 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 94

Noes: Giacometto, Sales.

Total 2

Paired: Eudaily, Aye; Giacometto, No.

Excused: Kennerly, Peterson, Williams.

Total 3

Absent or not voting: Kadas.

Total 1

HB 571 - Representative Daily moved that HB 571 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 85

Noes: Addy, Bulger, Cobb, Cohen, Ellison, Giacometto, Kadas, Mercer, Miller, Stang, Winslow.

Total 11

Paired: Hannah, Aye; Giacometto, No.

Excused: Kennerly, Peterson, Williams.

Total 3

Absent or not voting: Connelly.

Total 1

HB 589 - Representative Koehnke moved that HB 589 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 628 - Representative DeMars moved that HB 628 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 91

Noes: Campbell, Gilbert, Peck, Thomas.

Total 4

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: Hansen.

Total 1

HJR 19 - Representative Miles moved that HJR 19 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang,

Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 95

Noes: Lory.

Total 1

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ramirez moved the adoption of the committee report. Report adopted. (92-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 283 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 95

Noes: Asay.

Total 1

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 329 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 84

Noes: Asay, D. Brown, Campbell, Cobb, Devlin, Giacometto, Grinde, Iverson, Jenkins, Patterson, Spaeth, Switzer, Swysgood.

Total 13

Paired: Eudaily, Aye; Giacometto, No.

Excused: Kennerly, Peterson, Williams.

Total 3

Absent or not voting: None.

Total 0

HB 381 passed as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 72

Noes: Addy, Bardanouve, Cohen, Connelly, Daily, Devlin, Driscoll, Harrington, Kadas, Koehnke, Mercer, Meyers, Miles, Miller, Nisbet, Peck, Poff, Raney, Ream, Russell, Spaeth, Squires, Switzer, Whalen.

Total 24

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 428 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 94

Noes: Driscoll, Ellison.

Total 2

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 435 passed as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 80

Noes: Addy, Bardanouve, D. Brown, Cohen, Driscoll, Hansen, Harrington, Kadas, Miles, Raney, Ream, Russell, Squires, Strizich, Whalen.

Total 15

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: Campbell.

Total 1

HB 437 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 94

Noes: Hannah, Spaeth.

Total 2

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 446 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 95

Noes: Fritz.

Total 1

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 516 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 573 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 88

Noes: Addy, Fritz, Hansen, Harrington, Kadas, Nisbet, Ream, Whalen.

Total 8

Excused: Giacometto, Kennerly, Peterson, Williams.

Total 4

Absent or not voting: None.

Total 0

MOTIONS

Representative Lory moved that HB 262 be taken from second reading and rereferred to the Committee on Judiciary for amendment. Motion carried.

Representative Winslow moved that the rules be suspended to allow the late introduction of two bills; one dealing with hearings before hazardous waste sites are determined, and the other dealing with minimum wage rates for people in group homes. Motion carried.

Representative Strizich moved that Phillips, Van Valkenburg, and Jenkins be added as sponsors to HB 627. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:00 p.m., February 12, 1987.

Motion carried.

House adjourned at 6:35 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

THIRTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 12, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Peck. Pledge of Allegiance to the Flag.

Roll call. All members present except Kennerly, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

The House of Representatives was honored today by a visit from the 16th President of the United States, Mr. Abraham Lincoln. Speaker Marks asked Representatives Bardanouve and Lory to escort President Lincoln to the rostrum where he gave the following address:

"Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we cannot dedicate - we can not consecrate - we can not hallow - this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us - that from these honored dead we take increased devotion to that cause for which they give the last full measure of devotion - that we here highly resolve that these dead shall not have died in vain - that this nation, under God, shall have a new birth of freedom - and that government of the people, by the people, for the people, shall not perish from the earth."

Folks, I gave that speech once before. But that was before the days of mass transmittal. I figured that I could get away with it one more time.

Thank you very much for inviting me to appear, on the occasion of my 178th birthday, before the House of Representatives of the Territory of Montana.

You'll all remember that on May 26, 1864, I had the distinct honor of autographing the Enabling Act which created the Territory of Montana.

Now I understand that you are suffering through your 50th Legislative Assembly, and you are approaching your 100th year of statehood.

You must be doing something right. Can it be that you have earned the esteem of the people? It is the hardest task in politics:

"If you once forfeit the confidence of your fellow citizens, you can never regain their respect and esteem. It is true that you may fool all the people some of the time; you can even fool some of the people all the time; but you can't fool all the people all the time."

But then, I've never served in the Montana Legislature.

"The Lord prefers common people. That is the reason He makes so many of them."

But I appreciate the awesome tasks before you. You see, before I became a statesman, I was a politician. Now a statesman is a politician who's been dead for a very long time. We need more statesman in America!

Like all politicians, I quickly learned the secret of life: the ability to divide by two, and add one.

You must remember that politicians have mastered the art of political oratory. Political oratory is an art in which nothing you say reveals the fact that you're saying nothing.

Politicians are people who never met a tax they didn't hike.

Ronald Reagan told me that one. Said he learned it from a fellow named Will Rogers. Ronnie was just a little boy when I was President. But he was kind enough to say, in his 1st Inaugural Address, that "Whoever would understand in his heart the meaning of America, will find it in the life of Abraham Lincoln".

I appreciate that. I had quite a life, even though it ended quite abruptly.

I was born in a little place near Crazy Creek, in the state of Kentucky, in the year of Our Lord Eighteen Hundred and Nine.

I moved to Indiana, then to New Salem, Illinois, and finally to Springfield. I was a farmer, a flatboatman, a railsplitter, a grocery clerk, a postman, a lawyer, a state legislator like yourselves, a Whig, a congressman, a Republican, and the 16th President of the United States of America.

As a lawyer, I could build a case out of material "as thin as the homeopathic soup made by boiling the shadow of a pigeon that had starved to death".

As a legislator, I liked to raise taxes to spend on public education, and I commend that course to you now.

Of course, raising taxes is anathema to most legislators.

The only two things we have to face are death and taxes, and it's too bad they don't come in that order.

When I was a boy, I read about Patrick Henry, who said, "no taxation without representation". He should have tried taxation with representation.

I understand today that you live under two forms of government; the short form, and the long form.

But as President, I faced issues even more momentous than those that afflict you today.

But you shall persevere, and you shall triumph.

Be like the fellow who was riding along a backwoods trail and was caught in a storm. He kept plodding ahead until his horse gave out, and then it grew dark. The thunder was terrifying, and, when one bolt seemed to crash at his feet, he fell on his knees.

"Oh Lord", he prayed. "If it's all the same to you, give us a little more light and a little less noise."

As I told the nation's legislators in 1862:

"The dogmas of the quiet past are inadequate to the stormy present." I like that line. I wrote it myself. I wrote all my speeches. I always knew what I was saying. "The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew, and act anew. We must disenthrall ourselves, and then we shall save our country."

"Fellow citizens, we cannot escape history. We of this Congress and this administration, will be remembered in spite of ourselves. No personal significance, or insignificance, can spare one or another of us. The fiery trial through which we pass will light us down, in honor or dishonor, to the latest generation. The world knows we do know how to save it. We - even we here - hold the power and bear the responsibility. In giving freedom to the slave, we assure freedom to the free - honorable alike in what we give, and what we preserve. We shall nobly save, or meanly lose, the last, best hope of earth.

Fellow citizens, we have but one guide before us. It is that provided for us by our revolutionary forebearers. It is a struggle for maintaining in the world, that form, and substance of government, whose leading object is to elevate the condition of men - to lift artificial weights from all shoulders - to clear the paths of laudable pursuit for all.

I am loath to close. We are not enemies, but friends. We cannot be enemies.

Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away.

With malice toward none; with charity for all; with fairness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle and for his widow, and his orphan - to do all which may achieve and cherish a just, and a lasting peace, among ourselves, and with all nations.

Fellow citizens, I bid you an affectionate farewell."

Representatives Bardanouve and Lory escorted President Lincoln (who bore a striking resemblance to our own Representative Harry Fritz) from the chamber to a standing ovation.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/12/87

Correctly printed: HB 28, HB 282, HB 298, HB 358, HB 361, HB 364, HB 373, HB 389, HB 404, HB 424, HB 426, HB 453, HB 457, HB 461, HB 476, HB 487, HB 488, HB 499, HB 504, HB 505, HB 507, HB 508, HB 523, HB 534, HB 562, HB 574, HB 612, HB 624, HJR 11, HJR 16, HJR 24.

Correctly engrossed: HB 248, HB 315, HB 325, HB 387, HB 471, HB 473, HB 555, HB 571, HB 589, HB 628, HJR 19.

Delivered to the Governor for his approval at 1:26 p.m.: HB 61, HB 91, HB 103, HB 108, HB 109, HB 181, HB 190, HB 215, HB 226, HB 227.

BUSINESS AND LABOR (Kitselman, Chairman):

2/12/87

HB 622, do pass. Report adopted.

HB 626, do pass. Report adopted.

HB 640, introduced bill, be amended as follows:

1. Title, line 6.

Following: "WITHIN"

Strike: "24 HOURS"

Insert: "14 DAYS"

2. Page 1, line 13.

Following: "~~days~~"

Strike: "twenty-four hours"

Insert: "14 days"

3. Page 1, line 16.

Following: "~~days~~"

Strike: "24 hours"

Insert: "14 days"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

2/11/87

HB 497, introduced bill, be amended as follows:

1. Title, line 6.

Following: "CROPS"

Strike: "AND LIVESTOCK"

2. Page 1, line 24.

Following: "crops"

Strike: "and livestock"

3. Page 2, line 1.

Following: "crops"

Strike: "or livestock"

4. Page 2, lines 6 and 7.

Following: "planted" on line 6

Strike: remainder of line 6 and line 7 through "located"

5. Page 2, line 7.

Strike: "90"

Insert: "30"

6. Page 2, lines 19 and 20.

Following: "planted"

Strike: remainder of line 19 and line 20 through "located"

7. Page 2, line 25, and page 3, line 1.

Strike: "and" on line 25 and "livestock" on line 1, page 3

And, as amended, do not pass.

Chairman Kitselman moved to adopt the committee report. Representative Miller made a substitute motion that the adverse committee report be rejected and the bill be printed and placed on second reading. The Miller motion carried. (62-36)

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

2/12/87

HB 493, introduced bill, be amended as follows:

1. Page 1, line 11.

Following: "locations"

Strike: "two"

Following: "signs,"

Strike: "one"

2. Page 1, line 12.

Strike: "from each direction"

3. Page 1, line 13.

Following: "each"

Insert: "prominent"

And, as amended, do pass. Report adopted.

HB 506, introduced bill, be amended as follows:

1. Title.

Following: line 4

Insert: "MINERAL"

2. Page 1, line 10.

Following: "use"

Insert: "mineral"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

2/11/87

Adverse Committee Reports

HB 338, as amended, do not pass. Chairman Wallin moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Daily, Darko, Devlin, Ellison, Eudaily, Fritz, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, O'Connell, Pavlovich, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams.
Total 66

Noes: Bachini, Cobb, Cody, Connelly, Corne', DeMars, Donaldson, Driscoll, Giacometto, Gilbert, Glaser, Hannah, Harper, Hoffman, Kadas, Keenan, Manuel, Menahan, Miles, Nisbet, Patterson, Peck, Peterson, Phillips, Poff, Quilici, Ream, Spaeth, Swift, Switzer, Vincent, Winslow, Mr. Speaker.
Total 33

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 380, do not pass. Chairman Wallin moved to adopt the committee report. Motion failed. (40-56) Representative D. Brown moved that HB 380 be printed and placed on second reading. Motion carried.

HB 560, do not pass. Chairman Wallin moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peterson, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Squires, Stang,

Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 77

Noes: Addy, Bachini, D. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Harper, Harrington, Nisbet, Pavlovich, Phillips, Pistoria, Ream, Russell, Spaeth, Strizich, Vincent.

Total 21

Excused: Kennerly.

Total 1

Absent or not voting: Peck.

Total 1

HB 561, do not pass. Chairman Wallin moved to adopt the committee report. Representative Simon made a substitute motion that the adverse committee report on HB 561 be rejected and the bill be printed and placed on second reading. The Simon motion carried. (59-38)

NATURAL RESOURCES (Jones, Chairman):

2/10/87

HB 370, introduced bill, be amended as follows:

1. Page 5, line 22.

Strike: "An"

Insert: "(a) Except as provided in or conditioned under subsections (2)(b) and (2)(c), an"

2. Page 6, line 1.

Strike: "(a)"

Insert: "(i)"

3. Page 6, line 3.

Strike: "(b)"

Insert: "(ii)"

4. Page 6.

Following: line 11

Insert: "(b) The department may refuse to allow the operator to operate an opencut mine under subsection (2)(a) if, at the time of notification by the operator to the department, the operator has a pattern of violations or is in current violation of this part or rules adopted under this part or provisions of a contract for reclamation.

(c) The department may require an additional bond as a condition for the operation of an opencut mine under subsection (2)(a)."

5. Page 12, line 3.

Following: "protection"

Insert: ", consistent with state law,"

Strike: "potential significant"

Committee attached the following statement of intent:

Statement of Intent

HB 370

A statement of intent is required for this bill to provide guidelines on rules that must be adopted by the board of land commissioners under the provisions of section 7, which amends 82-4-441. Currently, 82-4-441 requires the imposition of a penalty regardless of the seriousness of a violation. A waiver of penalty provision would allow the department of state

lands to serve a notice of noncompliance, informing the operator of violations of the act or contract, without imposing a fine for minor violation.

It is anticipated that the rules would set forth those instances where a violation would not result in a fine. Under the amendment to 82-4-441, a fine may be waived if the violation does not represent potential harm to public health, public safety, or the environment and does not impair the administration of the Opencut Mining Act. The adopted rules will set forth a mechanism through which the department may exercise its discretion in waiving a penalty. Also, the rules will set forth, within the guidelines of the statute, those violations that do not warrant the imposition of a fine. In establishing these rules, the department shall consider:

- (1) whether the violation is inadvertent or unavoidable or results from an emergency situation;
- (2) whether the violation will significantly alter or hinder reclamation or the approved reclaimed use;
- (3) whether there has been a history of violations by the operator;
- (4) whether the operator has shown good faith in rectifying the violation; and
- (5) other pertinent factors relating to the seriousness of the violation.

And, as amended, do pass. Report adopted.

HB 467, introduced bill, be amended as follows:

2/2/87

1. Page 6, line 5.

Strike: "an existing"

Insert: "a"

Committee attached the following statement of intent:

Statement of Intent

HB 467

In 1984, the United States congress amended the federal Resource Conservation and Recovery Act (RCRA) to:

- (1) establish requirements for corrective action within and outside of facility boundaries and for financial assurance of that corrective action;
- (2) establish liability requirements for guarantors providing financial assurance;
- (3) make information on hazardous waste management facilities available to the public; and
- (4) ensure that facility permits contain terms and conditions necessary to protect human health and the environment.

Rulemaking authority is provided in this bill to authorize the department of health and environmental sciences to adopt rules necessary to carry out these purposes and thus to maintain the equivalence of the Montana Hazardous Waste Act with RCRA, as amended.

And, as amended, do pass. Report adopted.

HJR 24, do pass. Report adopted.

2/11/87

Adverse Committee Reports

HB 616, do not pass.

STATE ADMINISTRATION (Sales, Chairman):

2/11/87

HB 538, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "YOUTH,"

2. Title, line 10.

Strike: ", AND AGING"

Following: "SERVICES"

Insert: "THE DEPARTMENT OF HEALTH AND MEDICAL SERVICES,"

3. Title, lines 10 and 11.

Strike: "DISABILITY" on line 10 and "SERVICES" on line 11

Insert: "HUMAN DEVELOPMENT"

4. Title, line 11.

Strike: "RENAMING" through "INDUSTRY;"

5. Page 2, line 9.

Strike: "medical" through "and"

6. Page 2, line 15.

Strike: "youth," and ", and aging"

7. Page 2, line 16.

Strike: "disability services"

Insert: "human development"

8. Page 2, line 24.

Following: "parks"

Insert: ";

(q) department of health and medical services"

9. Page 3, line 12.

Following: "institutions,"

Insert: "and"

10. Page 3, line 13.

Strike: "," through "sciences"

11. Page 3, line 20.

Strike: "youth,"

12. Page 3, lines 20 and 21.

Following: "family" on line 20

Strike: "," through "aging" on line 21

13. Page 3, line 21.

Strike: "youth,"

14. Page 3, lines 21 and 22.

Following: "family" on line 21

Strike: "," through "aging" on line 22

15. Page 3, line 23.

Strike: "youth," and " , and aging"

16. Page 3, line 25.

Strike: "disability"

17. Page 4.

Following: line 25, page 3

Strike: "services"

Insert: "human development"

Strike: "disability services"

Insert: "human development"

18. Page 4, line 2.

Strike: "disability services"

Insert: "human development"

19. Page 4.

Following: line 3

Insert: "NEW SECTION. Section 5. Department of health and medical services. There is a department of health and medical services. The department head is the director of health and medical services appointed by the governor in accordance with 2-15-111."

Renumber: subsequent sections

20. Page 4, line 5.

Strike: "youth," and ", and aging"

21. Page 4, line 8.

Strike: "youth," and ", and aging"

22. Page 5, lines 4 through 6.

Strike: subsection (8) in its entirety

Renumber: subsequent subsections

23. Page 5, line 25 through line 2, page 6.

Strike: subsection (14) in its entirety

Renumber: subsequent subsection

24. Page 6, line 7.

Strike: "disability services"

Insert: "human development"

25. Page 6, line 10.

Strike: "disability services"

Insert: "human development"

26. Page 8, line 13.

Strike: "medical" through ", and"

27. Page 8, line 16.

Strike: "medical" through "and"

28. Page 9, lines 3 through 11.

Strike: subsections (4) through (6) in their entirety

Insert: "(4) community services block grant in Title 53, chapter 10, part 5, from the department of social and rehabilitations services;"

Renumber: subsequent subsection

29. Page 9.

Following: line 14

Insert: "NEW SECTION. Section 9. Transfer of functions to department of health and medical services. The following functions of state government are transferred from the department presently responsible for their administration to the department of health and medical services created in section 5:

(1) the board of health and environmental sciences created in 2-15-2104 and renamed the Montana board of health;

(2) medical assistance (medicaid) in Title 53, chapter 6, part 1, from the department of social and rehabilitation services;

(3) renal disease treatment program in Title 53, chapter 6, part 2, from the department of health and environmental sciences;

(4) community-based long-term care medicaid services in Title 53, chapter 6, part 4, from the department of social and rehabilitation services;

(5) functions performed by the board of health and environmental sciences, by the department of health and environmental sciences, or both the board and department in Title 50."

Renumber: subsequent sections

30. Page 11, lines 21 through 23.

Strike: "commission" on line 21 through "industry" on line 23

Insert: "supervised release program and supervision of probationers and parolees in Title 46, chapter 23, parts 4, 10, and 11, from the department of institutions"

31. Page 12, line 16.

Strike: "each" through "quarter"

Insert: "at the call of the chair"

32. Page 12, line 20.

Strike: "13"

Insert: "15"

33. Page 12.

Following: line 22

Insert: "(c) The governor shall suggest changes to the committee by October 1, 1987, and the committee shall prepare its final recommendations to the 51st legislature by March 1, 1988."

34. Page 13.

Following: line 12

Strike: "and" through "legislature"

35. Page 13, line 15.

Following: "agency"

Insert: "as reorganized by this act"

Following: "must"

Insert: "be prepared after public review in conjunction with interest groups, including agency providers, and must"

36. Page 13, lines 17 and 18.

Strike: "by" on line 17 through "department" on line 18

37. Page 13, lines 19 and 20.

Strike: "," on line 19 through "," on line 20

38. Page 13, line 21.

Following: "each"

Insert: "new"

39. Page 14, line 21.

Following: "the"

Insert: "final"

40. Page 14, line 22.

Strike: "this act"

Insert: "the human services reorganization oversight committee"

41. Page 14, line 24.

Strike: "legislative"

Insert: "human services reorganization"

42. Page 14, line 25.

Strike: "12"

Insert: "14"

43. Page 15.

Following: line 1

Insert: "NEW SECTION. Section 17. Coordination instruction. If House Bill No. 325 is passed and approved, section 3 of this act is void. The governor shall make recommendations to the human services reorganization oversight committee regarding any functions of state government not adequately addressed on the date of passage and approval of this act and House Bill No. 325."

Renumber: subsequent section

44. Page 15, line 3.

Strike: "11"

Insert: "13"

45. Page 15, line 5.

Strike: "12"

Insert: "14"

Strike: "15"

Insert: "18"

46. Page 15, line 7.

Strike: "12"

Insert: "14"

Strike: "13"

Insert: "15"

And, as amended, do pass. Report adopted.

HB 693, do pass. Report adopted.

Adverse Committee Reports

HB 418, as amended, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Poff, Poulsen, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 58

Noes: Bachini, Bradley, D. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Harrington, Kadas, Keenan, Koehnke, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Quilici, Raney, Russell, Spaeth, Squires, Stang, Strizich, Vincent, Whalen.

Total 37

Excused: Kennerly.

Total 1

Absent or not voting: Gould, Hansen, Harp, Jenkins.

Total 4

HB 582, do not pass.

HB 584, do not pass.

HB 609, do not pass.

HB 644, do not pass.

HB 681, do not pass.

2/12/87

HJR 22, do not pass. Chairman Sales moved to adopt the committee report. After considerable debate, Representative Mercer moved the previous question. Motion carried. (61-30) 2/11/87

The adverse committee report was adopted as follows:

Ayes: Addy, Asay, Brandewie, Campbell, Compton, Daily, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Moore, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.
Total 63

Noes: Bachini, Bardanouve, Bradley, D. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Kadas, Keenan, Menahan, Miles, Nisbet, Peck, Pistoria, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Strizich, Vincent, Whalen.
Total 33

Excused: Kennerly.

Total 1

Absent or not voting: J. Brown, Harrington, Nathe.

Total 3

HJR 25, do not pass.

2/12/87

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House:

2/11/87

HB 184, introduced by Brandewie

MOTIONS

Representative Mercer moved that HB 571 be taken from third reading and placed at the top of the second reading board for purposes of amendment. Motion carried.

Representative Kitselman moved that SB 20, which deals with the mechanics of liens, and SB 114, which deals with liens, be taken from the Committee on Business and Labor and rereferred to the Committee on Judiciary. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 718, introduced by Harper, Donaldson, Connelly, Asay, Raney, Squires, Eck, Addy, Hannah, Vincent, Iverson, Strizich, C. Smith, Jones, Cohen, Harp, Bachini, Brandewie, Ream, Glaser, Spaeth, Thoft, Bradley, Corne'. Referred to Committee on Natural Resources.

HB 719, introduced by D. Brown, Kolstad, Spaeth, Grady, Miller. Referred to Committee on Business and Labor.

HB 720, introduced by Spaeth, Addy, Mazurek, Crippen, Manuel, Marks, Bradley, Cobb, Ramirez. Referred to Committee on Business and Labor.

HB 721, introduced by Thomas, Vincent, Severson, Swysgood, Nisbet, Winslow, Van Valkenburg, B. Brown. Referred to Committee on State Administration.

HB 722, introduced by Cobb. Referred to Committee on Local Government.

HB 723, introduced by Whalen, Driscoll, Harrington. Referred to Committee on Business and Labor.

HB 724, introduced by Miller. Referred to Committee on Appropriations.

HB 725, introduced by Strizich. Referred to Committee on Education and Cultural Resources.

HB 726, introduced by Spaeth, McLane. Referred to Committee on Taxation.

HB 727, introduced by Winslow. Referred to Committee on Business and Labor.

HB 728, introduced by Connelly, Raney, Driscoll, Lynch, Walker, Lybeck, Harper, Lory, B. Brown. Referred to Committee on Business and Labor.

HB 729, introduced by Winslow. Referred to Committee on Natural Resources.

HJR 28, introduced by Driscoll, D. Brown, Ramirez, Rehberg, Regan, M. Williams, Crippen, Asay, Hannah, Whalen, Addy, Kitselman, Sands, Keating, Pavlovich, Keenan, Menahan, Simon, Harrington, Jacobson, Hager, Patterson, Winslow, Abrams, Walker, Raney, McLane, Bengtson, Roth, Glaser, Quilici, Miles, Manuel, Bishop, Blaylock, Lynch, Daily, C. Smith, Haffey, Stimatz, Strizich, Schye, Marks. Referred to Committee on Business and Labor.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Kadas in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 571 - Representative Mercer moved that HB 571, second reading copy, be amended as follows:

1. Title, line 5.

Following: "COVERED"

Insert: ", IN CERTAIN CASES,"

2. Page 1, line 21.

Strike: "18 years old by"

3. Page 1, line 22.

Following: "(a)"

Insert: "18 years old by"

4. Page 1, line 23.

Following: "child"

Insert: "or assisting, promoting, or encouraging the child to enter a place of prostitution"

5. Page 1, line 24.

Following: "(b)"

Insert: "16 years old by"

6. Page 2, line 1.

Following: ","

Insert: "or"

7. Page 2, line 2.

Strike: "(ii)" through "or"

Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kennerly.

Total 1

Absent or not voting: D. Brown, Miller, O'Connell, Williams.

Total 4

Representative Daily moved that HB 571, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Cobb, Cohen, Giacometto, Harper, Harrington, Keller, Ream.

Total 7

Excused: Kennerly.

Total 1

Absent or not voting: Asay, D. Brown, Peck, Schye.

Total 4

HB 83 - Representative Cody moved that HB 83 do pass. After debate, Representative Glaser made a substitute motion that HB 83 be placed below HB 483 on the second reading board for purposes of an amendment. Motion failed. (48-48)

HB 83 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko,

DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Switzer, Vincent, Wallin, Whalen, Williams, Winslow.

Total 79

Noes: Campbell, Ellison, Eudaily, Glaser, Hannah, Hoffman, Jenkins, Jones, Kitselman, Menke, Mercer, Meyers, Peterson, Pistoria, Stratford, Swift, Swysgood, Thoft, Thomas, Mr. Speaker.

Total 20

Paired: Kennerly, Aye; Thomas, No.

Excused: None.

Total 0

Absent or not voting: Connelly.

Total 1

HB 94 - Representative Smith moved that HB 94 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Kennerly.

Total 1

Absent or not voting: Hoffman.

Total 1

HB 163 - Representative Mercer moved that HB 163 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: D. Brown, Cohen, Driscoll, Ellison, Harper, Kadas, Pavlovich, Whalen.

Total 8

Excused: Kennerly.

Total 1

Absent or not voting: Poff.

Total 1

HB 301 - Representative Rapp-Svrcek moved that HB 301 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: D. Brown, Cobb, Driscoll, Sales, Switzer, Swysgood, Whalen.

Total 7

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 367 - Representative Miller moved that HB 367 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Ellison, Gilbert.

Total 2

Excused: Kennerly.

Total 1

Absent or not voting: Connelly.

Total 1

HB 443 - Representative Spaeth moved that HB 443, second reading copy, be amended as follows:

1. Page 6, line 16.

Strike: "or"

2. Page 6, line 17.

Following: "degree in"

Strike: "clinical"

3. Page 6, line 20.

Insert: "in clinical psychology"

4. Page 6, line 21.

Following: "association;"

Insert: "or"

5. Page 6, line 25.

Following: "board;"

Insert: "(iii) has received a doctoral degree in psychology from an accredited college or university, and whose course of studies meets minimum standards specified in rules by the board;"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

Representative Corne' moved that HB 443, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Kennerly.

Total 1

Absent or not voting: Peterson.

Total 1

HB 483 - Representative Bradley moved that HB 483 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Giacometto, Hannah, Menke, Swysgood.

Total 4

Excused: Kennerly.

Total 1

Absent or not voting: Jenkins, Peterson.

Total 2

HB 536 - Representative Devlin moved that HB 536 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cohen, Fritz, Harper, Miles, Pavlovich, Stang, Whalen.

Total 7

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 537 - Representative Patterson moved that HB 537 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Fritz, Whalen.

Total 2

Excused: Kennerly.

Total 1

Absent or not voting: Daily.

Total 1

HB 541 - Representative Smith moved that HB 541 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Campbell, Connelly, Meyers.

Total 3

Excused: Kennerly.

Total 1

Absent or not voting: Peterson.

Total 1

HB 554 - Representative Daily moved that HB 554 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang,

Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Campbell, Cobb, Connelly, Driscoll, Harrington, Kadas, Koehnke, Rapp-Svrcek, Swysgood, Whalen.

Total 10

Excused: Kennerly.

Total 1

Absent or not voting: McCormick.

Total 1

HB 614 - Representative Miller moved that HB 614 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 94

Noes: Jenkins.

Total 1

Excused: Kennerly.

Total 1

Absent or not voting: Ellison, Fritz, Pavlovich, Williams.

Total 4

HB 615 - Representative Cody moved that HB 615 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Ellison, Fritz.

Total 2

Excused: Kennerly.

Total 1

Absent or not voting: Bulger, Grady.

Total 2

HJR 13 - Representative Keenan moved that HJR 13 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Sands.

Total 1

Excused: Kennerly.

Total 1

Absent or not voting: Lory.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kadas moved the adoption of the committee report. Report adopted. (98-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 180 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Harper.

Total 1

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 248 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Cohen, Meyers.

Total 2

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 315 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 87

Noes: Asay, Brandewie, Cody, Cohen, Grady, Grinde, Holliday, Koehnke, Manuel, Nisbet, Williams.

Total 11

Excused: Kennerly.

Total 1

Absent or not voting: O'Connell.

Total 1

HB 387 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang,

Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Asay, Devlin, Giacometto, Swift, Wallin.

Total 5

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 473 passed as follows:

Ayes: Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 83

Noes: Addy, Asay, Bachini, Campbell, Corne', Eudaily, Harper, Koehnke, Nathe, Raney, Sales, Swift, Swysgood, Whalen, Mr. Speaker.

Total 15

Excused: Kennerly.

Total 1

Absent or not voting: D. Brown.

Total 1

HB 555 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Ellison, Giacometto, Sales.

Total 3

Excused: Kennerly.

Total 1

Absent or not voting: D. Brown.

Total 1

HB 589 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: Kennerly.

Total 1

Absent or not voting: Bardanouve.

Total 1

HB 628 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: Peck, Thomas.

Total 2

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HJR 19 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Representative Moore moved that she be allowed to change her vote on the adverse committee report on HJR 22 from no to yes. Motion carried.

Representative Moore moved that she be allowed to change her vote on HB 571 on second reading from no to yes. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:00 p.m., February 13, 1987.

Motion carried.

House adjourned at 5:37 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

THIRTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 13, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Asay. Pledge of Allegiance to the Flag.

Roll call. All members present except Donaldson and Mercer, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirty-third and thirty-fourth legislative days, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/13/87

Correctly printed: HB 370, HB 380, HB 467, HB 493, HB 497, HB 506, HB 538, HB 561, HB 622, HB 626, HB 640, HB 693.

Correctly engrossed: HB 83, HB 94, HB 163, HB 301, HB 367, HB 443, HB 483, HB 536, HB 537, HB 541, HB 554, HB 571, HB 614, HB 615, HJR 13.

Correctly enrolled: HB 184, HB 204.

Examined by the sponsor and found to be correct:

HB 184 - Brandewie

HB 204 - Fritz

Signed by the Speaker at 4:15 p.m.: HB 184, HB 204.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman):

2/13/87

HB 591, do pass. Report adopted.

HB 620, do pass. Report adopted.

HJR 14, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman):

2/13/87

HB 519, do pass. Report adopted.

HB 669, do pass. Report adopted.

FISH AND GAME (Ellison, Chairman):

2/12/87

HB 431, do pass. Report adopted.

HB 463, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "SUN RIVER GAME PRESERVE AND THE"

2. Title, line 7.

Strike: "APPOINTMENT"

Insert: "EMPLOYMENT"

3. Title, line 7.

Strike: "AND TWO ASSISTANTS"

Insert: ", ONE ASSISTANT, AND AN EQUIVALENT OF ONE FULL-TIME EMPLOYEE"

4. Page 1, line 12.

Strike: "appoint"

Insert: "employ"

5. Page 1, line 12.

Strike: "and two assistants"

Insert: “, an assistant manager, and an equivalent of one full-time employee”

6. Page 1, line 13.

Strike: “Sun River game preserve and the”

And, as amended, do pass. Report adopted.

HB 465, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 2/12/87

HB 438, do pass. Report adopted.

JUDICIARY (Lory, Chairman): 2/13/87

HB 241, introduced bill, be amended as follows:

1. Title, line 8.

Following: “**CLAUSE**”

Insert: “**AND AN EFFECTIVE DATE**”

2. Page 2, line 10.

Following: ““Discharge””

Insert: “includes a constructive discharge as defined in subsection (1) and”

3. Page 2, lines 14 and 15.

Strike: “not” on line 14 through “discharge” on line 15

4. Page 2.

Following: line 24

Insert: “(5) “Fringe benefits” means the value of any employer-paid vacation leave, sick leave, medical insurance plan, disability insurance plan, life insurance plan, and pension benefit plan in force on the date of the termination.”

Renumber: subsequent subsections

5. Page 2, line 25.

Following: “means”

Strike: “a legitimate business reason”

Insert: “reasonable, job-related grounds for dismissal based on a failure to satisfactorily perform job duties or disruption of the employer’s operation”

6. Page 3, line 10.

Following: “wrongful”

Insert: “only”

7. Page 3, line 13.

Following: “policy;”

Strike: “or”

8. Page 3, line 15.

Following: “for”

Strike: “5”

Insert: “3”

9. Page 3, line 17.

Following: “cause”

Strike: “.”

Insert: “; or

(3) the employer violated the express provisions of its own written personnel policy.”

10. Page 3, line 19.

Following: "wages"

Insert: "and fringe benefits"

11. Page 3, line 20.

Strike: "2"

Insert: "3"

12. Page 3, line 21.

Following: "discharge"

Insert: ", together with interest thereon"

Strike: "unemployment" through "and" on line 22

13. Page 3, lines 22 and 23.

Strike: "earnable" through "employee" on line 23

Insert: on line 22 "the employee could have earned with reasonable diligence"

14. Page 4, line 3.

Strike: "not"

Insert: ", except as"

15. Page 4, line 8.

Following: "maintains"

Insert: "written"

16. Page 4, line 11.

Following: "employer,"

Strike: remainder of subsection (2)

Insert: "the employee shall first exhaust those procedures prior to filing an action under [sections 1 through 9]. The employee's failure to initiate or exhaust available internal procedures is a defense to an action brought under [sections 1 through 9]. If the employer's internal procedures are not completed within 90 days from the date the employee initiates the internal procedures, the employee may file an action under [sections 1 through 9] and for purposes of this subsection the employer's internal procedures are considered exhausted. The limitation period in subsection (1) is tolled until the procedures are exhausted. In no case may the provisions of the employer's internal procedures extend the limitation period in subsection (1) more than 120 days."

17. Page 4, line 23.

Following: "handicap,"

Insert: "creed, religion, political belief, color, marital status,"

18. Page 5, lines 6 through 10.

Strike: line 6 through "are" on line 10

Insert: "(1) Except as provided in [sections 1 through 9], no claim for wrongful discharge may arise from tort or express or implied contract, nor may it be"

Renumber: subsections (1) through (4) on lines 11 through 16 of page 5 as (a) through (d)

19. Page 5.

Strike: lines 18 and 19 in their entirety

Renumber: subsections (7) and (8) on lines 20 and 21 as (e) and (f)

20. Page 5, line 21.

Following: "misrepresentation;"

Insert: "or"

21. Page 5.

Strike: line 22 in its entirety

Renumber: subsection (10) on line 23 as (g)

22. Page 5.

Following: line 23

Insert: "(2) This section does not preempt independent causes of action or independent claims, other than for wrongful discharge, under subsections (1)(a) through (1)(g) simply because they arise in the employment setting."

23. Page 7, lines 17 through 19.

Strike: "and" on line 17 through "filed" on line 19

24. Page 7.

Following: line 19

Insert: "Section 13. Effective date. This act is effective July 1, 1987."

And, as amended, do pass. Report adopted.

HB 262, do pass. Report adopted.

HB 442, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "AND AN" through "DATE" on line 10

2. Page 2, line 4.

Following: "(2)"

Insert: "(a)"

3. Page 2, lines 7, 8, 9, and 11.

Renumber: (a), (b), (c), and (d) as (i), (ii), (iii), and (iv)

4. Page 2, line 11.

Strike: "a tort" through remainder of lines 11 and 12

Insert: "tortious violation of any express or implied covenant included within or arising out of a contract.

(b) Subsection (2)(a) does not prohibit recovery of punitive damages in a products liability action or an action arising under 33-18-201."

5. Page 2, line 23.

Following: "he"

Insert: ":",

Insert: "(a)" at the beginning of line 24

Following: "plaintiff" on line 24

Strike: ":",

Insert: ":", or"

6. Page 2.

Following: line 24

Insert: "(b) has knowledge of facts or intentionally disregards facts that create a high probability of injury to the plaintiff and:

(i) deliberately proceeds to act in conscious or intentional disregard of the high probability of injury to the plaintiff; or

(ii) deliberately proceeds to act with indifference to the high probability of injury to the plaintiff.

(3) For purposes of subsection (2)(a), a person acts knowingly if he is aware that it is highly probable that injury will be caused by his conduct."

Renumber: subsequent subsections

7. Page 5.

Following: line 23

Insert: "increase or"

8. Page 6, line 23.

Strike: "(1)" through "to" on line 2 of page 7

Insert: "This act applies to claims arising and"

9. Page 7, line 3.

Following: "act"

Insert: ", except that subsections (7), (8), and (9) of 27-1-221 apply to trials that begin after the effective date of this act whether or not the claim arose after the effective date of this act"

10. Page 7, lines 4 and 5.

Strike: new section 7 in its entirety

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

2/13/87

HB 625, do pass. Report adopted.

NATURAL RESOURCES (Jones, Chairman):

2/11/87

Adverse Committee Reports

HB 616, do not pass. Chairman Jones moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Bachini, Iverson, Lory, Roth, Spaeth.

Total 5

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: None.

Total 0

STATE ADMINISTRATION (Sales, Chairman):

2/12/87

Adverse Committee Reports

HB 582, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, DeMars, Devlin, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne,

Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, McCormick, Manuel, Menke, Meyers, Miller, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 65

Noes: Addy, Bachini, D. Brown, Daily, Darko, Driscoll, Eudaily, Keenan, Lory, Menahan, Miles, Nelson, Nisbet, O'Connell, Rapp-Svrcek, Russell, Schye, Whalen.

Total 18

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: Bardanouve, Bulger, Cohen, Corne', Hansen, Harrington, Kadas, Koehnke, Moore, Nathe, Pavlovich, Poulsen, Ream, Spaeth, Squires.

Total 15

Representative Moore excused at this time.

HB 584, do not pass. Chairman Sales moved to adopt the adverse committee report. Representative Bardanouve made a substitute motion that the adverse committee report be rejected and the bill be printed and placed on second reading. Motion failed. (44-52)

The adverse committee report was adopted as follows:

Ayes: Bradley, Brandewie, J. Brown, Campbell, Cody, Compton, Devlin, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Lory, Menke, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Swift, Switzer, Swysgood, Thoft, Wallin, Winslow, Mr. Speaker.

Total 54

Noes: Addy, Asay, Bachini, Bardanouve, D. Brown, Bulger, Cobb, Cohen, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Fritz, Hansen, Harper, Harrington, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Pavlovich, Peck, Poff, Poulsen, Quilici, Raney, Russell, Schye, Spaeth, Stang, Strizich, Thomas, Vincent, Whalen, Williams.

Total 40

Excused: Donaldson, Mercer, Moore.

Total 3

Absent or not voting: Connelly, Squires, Stratford.

Total 3

Representative Moore present at this time.

HB 609, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet,

O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Bachini, Giacometto, Lory, Ramirez, Sales, Thomas, Whalen.

Total 7

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: Rapp-Svrcek.

Total 1

HB 644, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 86

Noes: Bachini, Cobb, Hoffman, Lory, Nathe, Peck, Schye, Swift, Swysgood, Thomas, Winslow.

Total 11

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: Ellison.

Total 1

HB 681, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Meyers, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 79

Noes: Bachini, D. Brown, Daily, Driscoll, Hannah, Iverson, Keenan, Lory, Miles, Nathe, Pavlovich, Peck, Quilici, Strizich, Switzer, Thoft, Whalen.

Total 17

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: Asay, Keller.

Total 2

HJR 25, do not pass. Chairman Sales moved to adopt the adverse committee report. Representative Kadas made a substitute motion that the adverse committee report be rejected and the bill be printed and placed on second reading. After debate, Representative Gould moved the previous question. Motion carried. (61-32)

The Kadas motion failed. (34-62)

The adverse committee report was adopted as follows:

Ayes: Addy, Asay, Brandewie, Campbell, Compton, Corne', Daily, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Meyers, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Mr. Speaker.

Total 60

Noes: Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Darko, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Koehnke, Menahan, Miles, Moore, Peck, Poff, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Strizich, Whalen, Williams.

Total 32

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: D. Brown, Grinde, Hoffman, Miller, O'Connell, Winslow.

Total 6

TAXATION (Ramirez, Chairman):

2/13/87

HB 47, introduced bill, be amended as follows:

1. Page 3, line 7.

Following: "20%"

Insert: "or \$50, whichever is greater,"

2. Page 3.

Following: line 13

Strike: "20%"

And, as amended, do pass. Report adopted.

HB 56, introduced bill, be amended as follows:

1. Page 1, line 20.

Following: "resources"

Insert: "affected by coal mining"

2. Page 3, lines 1 through 3.

Following: "resources" on line 1

Strike: remainder of line 1 through "county" on line 3

3. Page 3, line 8.

Following: "employment"

Strike: "in the mining of Montana coal"

4. Page 3, line 10.

Following: "Montana"

Insert: " , providing that such job search, training, and work programs have specific and measurable goals and objectives and have provisions for monitoring by the department of labor and industry"

5. Page 3, line 14.

Following: "information"

Insert: "developed by public or private agencies or individuals"

6. Page 3, lines 15 and 16.

Following: "resources" on line 15

Strike: "developed by public or private agencies or individuals"

Insert: "affected by coal mining"

And, as amended, do pass. Report adopted.

HB 513, introduced bill, be amended as follows:

1. Page 2, line 12.

Following: "(2)"

Strike: "Settlement"

Insert: "After all mandatory distributions have been made to state and local taxing jurisdictions, remaining settlement"

2. Page 2, line 21.

Following: "applies"

Insert: "only"

3. Page 2, line 22.

Following: "received"

Strike: "after January 1, 1987"

Insert: "during calendar year 1993"

And, as amended, do pass. Report adopted.

SPECIAL ORDERS OF THE DAY

The Speaker asked Representatives Hannah and Vincent to escort to the rostrum the senior senator, John Melcher. Mr. Melcher addressed the assembly and was escorted from the chambers.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

2/12/87

HB 87, introduced by Devlin

HB 99, introduced by Sales

HB 136, introduced by Driscoll

HB 159, introduced by Brandewie

HB 224, introduced by Spaeth

HB 225, introduced by Spaeth

HB 244, introduced by Peterson

HB 251, introduced by Cobb

HB 265, introduced by Phillips

HB 312, introduced by Hansen

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

2/12/87

HB 151, introduced by Pistoria

MOTIONS

Representative Simon moved that consideration of HB 562 be passed for the day. Motion carried.

Representative Hannah moved that the rules be suspended for the late drafting and introduction of a bill dealing with the bonding of itinerant merchants. Motion carried.

Representative Bulger moved that consideration of HB 327 be passed until the 38th legislative day for purposes of amendment. Motion carried.

Representative Darko moved that she and Representative Schye be allowed to change their votes on HB 582, the adverse committee report, from yes to no. Motion carried.

Representative Addy moved that HB 519 be taken from printing and rereferred to the Committee on Judiciary, because it is the "unisex bill" and was heard in Judiciary last session. Motion failed. (40-59)

Representative Addy moved that HB 519 be taken from printing and rereferred to the Committee on Business and Labor, who held a hearing earlier today. Motion failed. (37-55)

Representative Spaeth moved that HB 720 be taken from the Committee on Business and Labor and rereferred to the Committee on Judiciary. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 730, introduced by Bachini. Referred to Committee on Fish and Game.

HB 731, introduced by Rehberg, Ramirez. Referred to Committee on Rules.

HB 732, introduced by Harrington, Daily, D. Brown, Lynch, Stimatz, Jacobson, Pavlovich. Referred to Committee on Appropriations.

HB 733, introduced by Quilici, Halligan, Gage, Menahan, Lynch, Campbell, Harrington, Pavlovich, D. Brown, Spaeth, Daily, Jacobson. Referred to Committee on Taxation.

HB 734, introduced by Bulger, Darko, Wallin, Brandewie, J. Brown, Pistoria, D. Brown, Gilbert, Grinde, Hoffman, Hansen, Kitselman, Whalen, Sales, Ramirez, (By Request of the House Local Government Committee). Referred to Committee on Local Government.

HB 735, introduced by Glaser. Referred to Committee on Natural Resources.

HB 736, introduced by Peck, Kolstad, Jergeson, Hannah, Bachini, Jenkins. Referred to Committee on Taxation.

HB 737, introduced by D. Brown, (By Request of the Department of Institutions). Referred to Committee on Judiciary.

HB 738, introduced by Jenkins. Referred to Committee on Agriculture.

HB 739, introduced by Jenkins. Referred to Committee on Taxation.

HB 740, introduced by Cobb, Van Valkenburg, Mercer, Blaylock, Peck, Thomas, Giacometto, Bishop, Miles, Addy, Neuman, Rehberg. Referred to Committee on Judiciary.

HB 741, introduced by Harp, Hager, Halligan, Meyer, (By Request of the State Auditor). Referred to Committee on Taxation.

HJR 29, introduced by Harper, Whalen, Vincent, Walker, Connelly, Van Valkenburg, Driscoll, Haffey, Yellowtail, Lynch, Hansen, Squires, Corne', Kadas, Ream, Moore, Spaeth, Russell, O'Connell, Harrington, Quilici, Schye, M. Williams, Peck, Bardanouve, Miles, Cohen, Daily, Pavlovich, Rapp-Svrcek, Darko, Raney, Addy, Menahan, Keenan, Holliday. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 28 - Representative Jenkins moved that HB 28 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: None.

Total 0

HB 221 - Representative Gilbert moved that HB 221 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Cobb, Cohen, Connelly, Koehnke, Whalen.

Total 5

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: Kadas, Peterson.

Total 2

HB 282 - Representative Lory moved that HB 282 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 88

Noes: Grinde, Jenkins, Switzer, Thoft.

Total 4

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: Addy, Bardanouve, Iverson, Moore, Peterson, Williams.

Total 6

HB 358 - Representative Bardanouve moved that HB 358 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: Peterson.

Total 1

HB 361 - Representative Ramirez moved that HB 361 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: Peterson.

Total 1

HB 373 - Representative Darko moved that HB 373 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 91

Noes: Cobb, Ellison, Swift.

Total 3

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: Glaser, Harp, Peterson, Mr. Speaker.

Total 4

HB 389 - Representative Brandewie moved that HB 389 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Squires.

Total 1

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: Harper.

Total 1

HB 396 - Representative Pavlovich moved that HB 396 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 95

Noes: None.

Total 0

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: Asay, D. Brown, Mr. Speaker.

Total 3

HB 404 - Representative Harp moved that HB 404 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cohen, Driscoll, Manuel, Whalen.

Total 4

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: D. Brown.

Total 1

HB 426 - Representative Pavlovich moved that HB 426, second reading copy, be amended as follows:

1. Page 4.

Following: line 19

Insert: "NEW SECTION. Section 3. No section of this code shall impose taxes or fees on any arrangement, plan, or interlocal agreement between political subdivisions of this state whereby the political subdivisions undertake to separately or jointly indemnify one another by way of pooling, joint retention, deductible, or self-insurance plan."

Renumber: subsequent section

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 60

Noes: Asay, Brandewie, Compton, Ellison, Giacometto, Gilbert, Glaser, Grady, Grinde, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Meyers, Nathe, Nelson, Patterson, Peterson, Poff, Rehberg, Roth, Sales, Sands, Simon, Smith, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin.

Total 37

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: Devlin.

Total 1

Representative Campbell moved that HB 426, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Giacometto, Hannah, Kitselman, Meyers, Nelson, Sales, Thomas.

Total 7

Excused: Donaldson, Mercer.

Total 2

Absent or not voting: Devlin, Gilbert, Jones, Kadas, Smith.

Total 5

Representative Hayne excused at this time.

HB 453 - Representative Harper moved that HB 453, second reading copy, be amended. After discussion, Representative Harper withdrew his amendment.

Representative Brandewie moved that HB 453 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kitselman, Menahan, Menke, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 78

Noes: Asay, J. Brown, Devlin, Hansen, Harper, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Miles, Peck, Ream, Russell, Sales, Sands, Swift, Williams.

Total 19

Excused: Donaldson, Hayne, Mercer.

Total 3

Absent or not voting: None.

Total 0

HB 457 - Representative J. Brown moved that HB 457 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Donaldson, Hayne, Mercer.

Total 3

Absent or not voting: O'Connell, Quilici.

Total 2

HB 461 - Representative Corne' moved that HB 461 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp,

Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Donaldson, Hayne, Mercer.

Total 3

Absent or not voting: O'Connell.

Total 1

HB 476 - Representative Gould moved that HB 476 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Kadas, Peck, Sales.

Total 3

Excused: Donaldson, Hayne, Mercer.

Total 3

Absent or not voting: O'Connell, Whalen.

Total 2

HB 487 - Representative Thomas moved that HB 487 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 89

Noes: Fritz, Peck, Stang, Switzer.

Total 4

Excused: Donaldson, Hayne, Mercer.

Total 3

Absent or not voting: Brandewie, Devlin, O'Connell, Mr. Speaker.

Total 4

HB 488 - Representative Ramirez moved that HB 488 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Donaldson, Hayne, Mercer.

Total 3

Absent or not voting: O'Connell, Sands.

Total 2

HB 499 - Representative Sands moved that HB 499 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 92

Noes: None.

Total 0

Excused: Donaldson, Hayne, Mercer.

Total 3

Absent or not voting: Bachini, Devlin, McCormick, O'Connell, Mr. Speaker.

Total 5

HB 504 - Representative Kadas moved that HB 504 do pass. Motion carried as follows:

Ayes: Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Fritz, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Kennerly, Koehnke, Manuel, Menke, Miles, Miller, Moore, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Williams, Winslow.

Total 61

Noes: Addy, Asay, Bardanouve, Bulger, Cohen, Ellison, Eudaily, Giacometto, Gilbert, Grinde, Harrington, Jones, Keller, Kitselman, Lory, McCormick, Menahan, Meyers, Nathe, Nelson, Nisbet, Peck, Poff, Poulsen, Rehberg, Roth, Sands, Schye, Simon, Smith, Switzer, Swysgood, Wallin, Whalen.

Total 34

Excused: Donaldson, Hayne, Mercer.

Total 3

Absent or not voting: O'Connell, Mr. Speaker.

Total 2

HB 507 - Representative Campbell moved that HB 507 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 91

Noes: None.

Total 0

Excused: Donaldson, Hayne, Mercer.

Total 3

Absent or not voting: Cobb, Devlin, Kadas, Sales, Thoft, Mr. Speaker.

Total 6

HB 508 - Representative Campbell moved that HB 508 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford,

Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Asay, Bardanouve, Ellison, Giacometto, Jenkins, Sales, Switzer.

Total 7

Excused: Donaldson, Hayne, Mercer.

Total 3

Absent or not voting: Hansen, Kennerly, O'Connell, Patterson.

Total 4

HB 523 - Representative Pavlovich moved that HB 523 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Sales.

Total 1

Excused: Donaldson, Hayne, Mercer.

Total 3

Absent or not voting: Devlin.

Total 1

Representatives Daily, Driscoll, Menahan, Pavlovich, Quilici, D. Brown, and Harrington excused at this time.

HB 534 - Representative Harper moved that HB 534, second reading copy, be amended. Amendment failed. (35-62)

Representative Hayne present at this time.

Representative Addy moved that HB 534, second reading copy, be amended. Amendment failed. (35-60)

Representative Miles moved that HB 534, second reading copy, be amended. Amendment failed. (35-61)

Representative Hannah moved that HB 534 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Daily, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands,

Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Addy, Bardanouve, Bradley, J. Brown, Bulger, Cohen, Connelly, Corne', Darko, DeMars, Fritz, Gould, Hansen, Harper, Kadas, Keenan, Kennerly, Miles, Moore, Nisbet, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Vincent, Whalen.

Total 29

Paired: D. Brown, Daily, Donaldson, Driscoll, Harrington, Menahan, Mercer, Pavlovich, Quilici, Ayes; Addy, Harper, Keenan, Miles, Raney, Ream, Schye, Spaeth, Vincent, Noes.

Excused: None.

Total 0

Absent or not voting: Strizich.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (71-20)

MOTIONS

Representative Addy moved that HB 673 be taken from the Committee on Judiciary and rereferred to the Committee on Business and Labor. Motion carried.

Representative Jones moved that the rules be suspended to allow the late drafting of a bill excluding personal property tax for retired persons. Motion carried. (71-11)

Representative Giacometto excused at this time.

Representative Ellison moved that HB 730 be taken from the Committee on Fish and Game and rereferred to the Committee on Taxation so that it can be heard with a companion bill there. Motion carried.

Representative Thoft moved that HB 28, HB 221, HB 373, HB 461, and HB 523 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Connelly moved that Wallin and Mercer be added as sponsors to HB 697. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 83 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon,

Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 81

Noes: Ellison, Eudaily, Hannah, Kitselman, Peck, Swift, Swysgood, Thoft, Mr. Speaker.

Total 9

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: None.

Total 0

HB 94 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Meyers.

Total 1

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: None.

Total 0

HB 163 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Cody, Cohen, Kadas, Whalen.

Total 4

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: Grady.

Total 1

HB 301 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Campbell, Cobb, Cody, Glaser, Meyers, Swysgood.

Total 6

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: None.

Total 0

HB 325 passed as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Connelly, Corne', Darko, DeMars, Devlin, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harper, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Squires, Stang, Strizich, Switzer, Thomas, Vincent, Wallin, Williams, Winslow.

Total 66

Noes: Bachini, Cody, Compton, Ellison, Grinde, Hanson, Harp, Hoffman, Jones, Kennerly, Nathe, Peck, Ramirez, Raney, Russell, Sales, Spaeth, Stratford, Swift, Swysgood, Thoft, Whalen, Mr. Speaker.

Total 23

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: Asay.

Total 1

HB 367 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: Ellison.

Total 1

HB 471 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 76

Noes: Cohen, Ellison, Grady, Hannah, Kadas, Kennerly, Mercer, Meyers, Nathe, Russell, Sales, Swift, Switzer, Whalen, Mr. Speaker.

Total 15

Paired: Eudaily, Aye; Mercer, No.

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Pavlovich, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 483 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Campbell, Glaser, Hannah, Holliday, Peterson, Swysgood.

Total 6

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: Miller.

Total 1

HB 536 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Baranouve, Cohen, Fritz, Stang, Whalen.

Total 5

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: None.

Total 0

HB 537 passed as follows:

Ayes: Addy, Asay, Bachini, Baranouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Fritz, Peck.

Total 2

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: Hoffman.

Total 1

HB 541 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Fritz, Koehnke, Meyers.

Total 3

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: Bardanouve.

Total 1

HB 554 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 84

Noes: Campbell, Koehnke, Peck, Swysgood, Whalen, Mr. Speaker.

Total 6

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: None.

Total 0

HB 614 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: None.

Total 0

HB 615 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars,

Devlin, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Asay, Ellison, Fritz, Meyers.

Total 4

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: None.

Total 0

HJR 13 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Asay, Sands.

Total 2

Excused: D. Brown, Daily, Donaldson, Driscoll, Giacometto, Harrington, Menahan, Mercer, Pavlovich, Quilici.

Total 10

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 9:30 a.m., February 14, 1987.

Motion carried.

House adjourned at 7:30 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

THIRTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 14, 1987

House Chambers
State Capitol

House convened at 9:30 a.m., Mr. Speaker in the Chair. Invocation by Representative Squires. Pledge of Allegiance to the Flag.

Roll call. All members present except Hoffman and Mercer, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 2/14/87

Correctly printed: HB 47, HB 56, HB 118, HB 241, HB 252, HB 303, HB 365, HB 431, HB 438, HB 442, HB 463, HB 465, HB 513, HB 519, HB 591, HB 620, HB 625, HB 669, HJR 14.

Correctly engrossed: HB 28, HB 221, HB 282, HB 358, HB 361, HB 373, HB 389, HB 396, HB 404, HB 426, HB 453, HB 457, HB 461, HB 476, HB 487, HB 488, HB 499, HB 504, HB 507, HB 508, HB 523, HB 534.

Delivered to the Governor for his approval at 9:54 a.m.: HB 184, HB 204.

APPROPRIATIONS (Donaldson, Chairman): 2/13/87

HB 232, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman): 2/14/87

HB 313, introduced bill, be amended as follows:

1. Title, line 9.

Following: "16-2-103,"

Insert: "16-2-106,"

2. Title, line 10.

Following: "16-2-203,"

Strike: "16-2-302, 16-2-303,"

3. Title, line 14.

Following: "16-2-104"

Strike: "THROUGH"

Insert: "16-2-105,"

Following: "16-2-301"

Insert: "THROUGH 16-2-303"

4. Page 2, line 18.

Following: "liquor"

Strike: "and the sale of table wine"

5. Page 4, line 12.

Following: "liquor"

Strike: "and wine"

6. Page 8, line 8.

Following: "liquor"

Strike: "and"

Following: "table"

Strike: "wine"

7. Page 10, line 23.

Following: "liquor"

Strike: "and"

Following: "~~table~~"
Strike: "wine"

8. Page 11, line 5.
Following: "liquor"
Strike: "and"
Following: "~~table~~"
Strike: "wine"

9. Page 12, line 24.
Following: "liquor"
Strike: "or"
Following: "~~table~~"
Strike: "wine"

10. Page 13, line 7.
Following: "liquor"
Strike: "or"
Following: "~~table~~"
Strike: "wine"

11. Page 15, line 3 through line 15.
Following: "rate of" on line 3
Strike: remainder of line 3, lines 4 through 14 in their entirety and line 15 through "section"
Insert: "\$1.75 a liter"

12. Page 16.
Following: line 21
Insert: "at the rate"
Following: "of"
Strike: ":",

13. Page 16, line 23 through page 17, line 9.
Strike: lines 23 through 25 on page 16 and lines 1 through 8 on page 17 in their entirety and line 9 through "section"
Insert: "65 cents a liter"

14. Page 19.
Following: line 23
Insert: "Section 13. Section 16-2-106, MCA, is amended to read:

"16-2-106. Purchase price in advance. ~~A store~~ The state warehouse manager and other authorized state warehouse employees may sell to any ~~person~~ licensee such liquor as that ~~person~~ licensee is entitled to purchase in conformity with the provisions of this code and the rules made thereunder, provided that no delivery shall take place until the purchaser has paid the purchase price."

Renumber: subsequent sections

15. Page 21.
Following: line 17
Strike: sections 16 and 17 in their entirety
Renumber: subsequent sections

16. Page 24, line 9.
Following: "is to"
Strike: "maintain a system for the importation and sale of wine by the state through the state liquor facilities warehouse and"

17. Page 49, line 11.
Following: "that"

Insert: "originally"

18. Page 49, line 14.

Following: "not"

Insert: "originally"

19. Page 49, line 22.

Following: "license."

Insert: "A licensee may purchase liquor from another licensee if the liquor was originally purchased from the state warehouse."

20. Page 58, line 21.

Following: "16-2-104"

Strike: "through"

Insert: ", 16-2-105,"

Following: "16-2-301"

Insert: "through 16-2-303"

21. Page 58, line 24.

Following: "Sections"

Strike: "39, 40"

Insert: "38, 39"

And, as amended, do pass. Report adopted.

HB 585, do pass. Report adopted.

HB 648, introduced bill, be amended as follows:

1. Page 1, line 18.

Following: "rodeo"

Insert: ", but sports event does not mean any elementary school or high school sports event"

And, as amended, do pass. Report adopted.

HJR 8, introduced bill, be amended as follows:

1. Title, line 9.

Following: "REVIEW"

Strike: remainder of line 9

2. Title, line 10.

Strike: "DIVESTITURE"

Insert: "DIVESTITURES"

3. Page 1, line 12 through page 3, line 8.

Strike: the WHEREAS clauses in their entirety

Insert: "WHEREAS, Montana, because of its geographical location and distance from markets, is heavily dependent on transportation services for its economic well-being; and

WHEREAS, rail facilities are vital to the transportation services available to Montana; and

WHEREAS, a trend exists in the railroad industry to dispose of regional railroad property, and such disposition could have a significant impact on shippers, industries, small businesses, and the general public in Montana; and

WHEREAS, the current procedures utilized by the Interstate Commerce Commission may not adequately provide for public or governmental input into the approval of divestitures of regional railroad property; and

WHEREAS, newly created regional railroads may face difficulties maintaining equipment and an adequate financial base; and

WHEREAS, the relationship between land grants originally awarded for the construction of railroads and the present holdings of railroad companies is unresolved in the public mind."

4. Page 3, lines 12 and 13.

Following: "review" on line 12

Strike: remainder of line 12 and line 13 through "from"

5. Page 3, lines 14 through 16.

Following: "movement"

Strike: remainder of line 14, line 15 in its entirety, and line 16 through "interest,"

6. Page 3, line 22.

Following: "fiscal"

Insert: ", economic,"

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

2/13/87

HB 118, introduced bill, be amended as follows:

1. Title, line 5.

Following: "FUND"

Insert: "LIMITED"

2. Title, lines 6 and 7.

Following: "RESERVE"

Strike: remainder of line 6 through "BUDGET" on line 7

3. Page 2, line 2.

Following: "(b) a"

Insert: "limited"

Following: "for the"

Insert: "school fiscal year following the"

4. Page 2, line 7.

Following: "as a"

Insert: "limited"

5. Page 2, line 9.

Strike: "issued by the district"

Insert: "which must be paid"

6. Page 2, line 10.

Strike: "June 30"

Insert: "November 30"

Following: "of the"

Insert: "school fiscal year following the"

7. Page 2, lines 11 to 15.

Strike: lines 11 through "20-9-439." on line 15

8. Page 2, line 16.

Following: "earmarked for"

Insert: "limited"

9. Page 3, line 18.

Following: "any"

Insert: "limited"

10. Page 3, line 19.

Strike: "for the ensuing school fiscal year"

And, as amended, do pass. Report adopted.

HB 303, do pass. Report adopted.

HB 365, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 365

A statement of intent is required for this bill because section 1 provides that the board of public education shall adopt rules for student assessment in the public schools of Montana. The legislature intends for the board to adopt rules regarding:

- (1) the types of student assessment tests that may be used;
- (2) the grade levels to be tested;
- (3) the time of testing;
- (4) procurement of testing data;
- (5) provisions for confidentiality of test results;
- (6) responsibilities for the office of the superintendent of public instruction; and
- (7) other provisions that the board considers vital to the student assessment program.

HJR 18, introduced bill, be amended as follows:

2/14/87

1. Title, line 6.

Following: "INSTRUCTION"

Insert: "AND THE BOARD OF PUBLIC EDUCATION"

2. Page 1, line 14.

Strike: "and his wife"

3. Page 1, line 15.

Following: "coach"

Strike: ", an infant"

Insert: "and his wife and child"

4. Page 2, line 7.

Following: "Instruction"

Insert: "and the Board of Public Education"

5. Page 2, line 10.

Following: "Instruction"

Insert: "and the Board of Public Education"

And, as amended, do pass. Report adopted.

JUDICIARY (Lory, Chairman):

2/14/87

HB 123, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Strike: "OR" on line 5 through "BAR" on line 6

2. Page 2, lines 13 through 15.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 236, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "intent to resign"

Insert: "resignation to take effect"

And, as amended, do pass. Report adopted.

HB 256, introduced bill, be amended as follows:

1. Page 2, line 25 through line 1, page 3.

Strike: subsection (q) in its entirety

Renumber: subsequent subsection (r) as subsection (q)

2. Page 3, line 3.

Strike: "1" through "\$100" on line 4

3. Page 4, line 14.

Strike: "a motion for substitution of a judge,"

4. Page 4, line 15.

Strike: "1 or a motion for change of venue"

5. Page 4, line 16.

Strike: "subsections"

Insert: "subsection"

Strike: "through (1)(s)"

6. Page 6, lines 9 and 10.

Strike: subsection (q) in its entirety

Renumber: subsequent subsection (r) as subsection (q)

7. Page 6, line 12.

Strike: "1" through "\$100" on line 13

8. Page 7, line 22.

Strike: "a motion for substitution of a judge,"

9. Page 7, line 23.

Strike: "1 or a motion for change of venue"

10. Page 7, line 24.

Strike: "subsections"

Insert: "subsection"

Strike: "through (1)(s)"

And, as amended, do pass. Report adopted.

HB 501, introduced bill, be amended as follows:

1. Page 2, lines 3 through 5.

Strike: "The small" on line 3 through "assistance," on line 5

2. Page 4, lines 1 through 3.

Strike: "1 or" on line 1 through "him" on line 3

3. Page 4, line 6.

Strike: "prepare and"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 110, do not pass.

HB 111, do not pass.

LOCAL GOVERNMENT (Wallin, Chairman):

HB 450, introduced bill, be amended as follows:

2/13/87

1. Title, lines 6 through 9.

Strike: "ELIMINATING" on line 6 through "SERVICES" on line 9

Insert: "SPECIFYING THAT THE OPERATION OF A PLANT PROVIDING WATER, SEWER, OR POWER DOES NOT CONSTITUTE SUCH A SERVICE"

2. Pages 1 and 2.

Strike: everything following the enacting clause

Insert: "Section 1. Section 7-5-4301, MCA, is amended to read:

"7-5-4301. Power to enter and execute contracts. (1) The city or town council has power to make any and all contracts necessary to carry into effect the powers granted by this code and to provide for the manner of executing the same.

(2) (a) All necessary contracts for professional, technical, engineering, and legal services are excluded from the provisions of 7-5-4302 through 7-5-4304, 7-5-4306, and 7-5-4307. Provided, however, contracts wherein the value of the majority of the services to be rendered constitute services other than professional, technical, engineering, and legal services must be awarded under the bidding procedure provided for in 7-5-4302 through 7-5-4304, 7-5-4306, and 7-5-4307.

(b) Supervision over or operation of a physical plant that provides water, sewer, or power services to a municipality does not constitute a service excluded under the provisions of subsection (2)(a)."

NEW SECTION. Section 2. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 531, introduced bill, be amended as follows:

2/14/87

1. Title, line 5.

Strike: "AND"

Insert: "OR"

2. Page 1, line 15.

Following: "commissioners"

Insert: ", pursuant to a resolution meeting the criteria set forth in subsection (2),"

Strike: "it is in the best"

3. Page 1, line 16.

Strike: "interest of the county"

4. Page 1, line 17.

Strike: "by resolution"

5. Page 1, line 17.

Strike: "they"

Insert: "it"

6. Page 1, line 19.

Strike: "and"

Insert: "or"

7. Page 1, line 20.

Following: "provides"

Insert: ", or both a reduction in hours and services"

8. Page 1.

Following: line 23

Insert: "(2) For the purposes of this section, the resolution must be adopted by a unanimous vote of the board of county commissioners and must contain:

(a) a finding by the board of insufficient funds to adequately operate county functions;

(b) an explanation of the nature of the financial emergency;

(c) an estimate of the amount of funding shortfall expected by the county;

(d) a statement that applicable fund balances are or by the end of the fiscal year will be depleted;

(e) a finding that there are no alternative sources of revenue;

(f) a summary of the alternatives that the board has considered;

(g) a statement of the need for the reduction in hours or services; and

(h) the county plan for implementation of a reduction in the hours offices are open and reductions in hours of employment."

Renumber: subsequent subsections

9. Page 1, line 24.

Following: "(2)"

Insert: "(a)"

Strike: "A"

Insert: "Except as provided in subsection (3)(b), a"

10. Page 2, line 1.

Strike: "and a lack of work"

11. Page 2.

Following: line 3

Insert: "(b) Reductions made pursuant to this section are subject to any collective bargaining agreements entered into by the county and its employees. If there are such collective bargaining agreements, the board of county commissioners must give each bargaining unit at least 15 days' notice of its intention to adopt the resolution. The board and collective bargaining units may renegotiate collective bargaining agreements for the purpose of effectuating the purposes of this section."

12. Page 2, line 9.

Strike: "shall"

Insert: "may elect to"

And, as amended, do pass. Report adopted.

HB 579, introduced bill, be amended as follows:

2/13/87

1. Title, line 5.

Strike: "DISTRICT"

Insert: "AREA"

Following: "WITHIN"

Insert: "UNINCORPORATED AREAS NOT PART OF A RURAL FIRE DISTRICT IN"

2. Title, line 8.

Strike: "DISTRICT" in both places

Insert: "AREA" in both places

3. Page 1, line 12.

Strike: "district"

Insert: "area"

4. Page 1, line 14.

Strike: "districts in"

Insert: "areas within unincorporated areas not part of a rural fire district in"

5. Page 1, line 17.

Page 1, line 23.

Page 2, line 11.

Page 2, line 13.

Page 2, line 17.

Page 2, line 18, following "service".

Page 2, line 20.

Page 3, line 12.

Page 3, line 20.

Strike: "district"

Insert: "area"

6. Page 1, line 18.

Following: "with"

Insert: "public"

Following: "7-1-2121"

Insert: "and written notice as provided in 7-1-2122"

7. Page 2, line 3.

Strike: "district"

Insert: "fire service area. The area is created effective 60 days after passage of the resolution"

8. Page 2.

Following: line 3

Strike: "the"

Insert: "that"

Strike: "set for the public hearing"

9. Page 2, line 18.

Strike: "District"

Insert: "Area"

10. Page 1, line 16.

Page 1, line 25.

Page 2, line 2.

Page 2, line 5.

Page 2, line 8.

Page 2, line 14.

Page 2, line 15.

Page 3, line 1.

Page 3, line 2.

Page 3, line 6.

Page 3, line 9.

Page 3, line 11.

Page 3, line 17.

Strike: "district"

Insert: "fire service area"

And, as amended, do pass. Report adopted.

HB 639, introduced bill, be amended as follows:

1. Page 3, line 1.

Following: "servers"

Insert: "— identification"

Following: "servers."

Insert: "(1)"

2. Page 3.

Following: line 6

Insert: "(2) During the course of serving process or acting as a levying officer, a registered process server must have in his possession a badge with the number assigned under subsection (1) and an identification card that has attached a photograph of the registered process server."

And, as amended, do pass. Report adopted.

HB 646, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "ERECTING"

Insert: "FACILITATING THE CONSTRUCTION OF"

2. Page 3, lines 16 and 17.

Strike: subsection (viii) in its entirety

3. Page 4.

Following: line 8

Insert: "(f) create special improvement districts to make monetary advances or contributions to aid in the construction of additional natural gas and electric distribution lines and telecommunications facilities in order to extend such public utility services;"

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Jones, Chairman):

2/13/87

HB 343, do pass. Report adopted.

HB 629, do pass. Report adopted.

HB 651, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

2/13/87

HB 252, do pass. Report adopted.

MOTIONS

Representative Kitselman moved that HB 475 be taken from the Committee on Business and Labor and rereferred to the Committee on Judiciary. Motion carried.

Representative Eudaily moved that consideration of HB 693 on second reading be passed for the day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Keenan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 612 - Representative Roth moved that HB 612 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 94

Noes: None.

Total 0

Excused: Hoffman, Mercer.

Total 2

Absent or not voting: D. Brown, Cody, Rapp-Svrcek, Mr. Speaker.

Total 4

HB 624 - Representative Williams moved that HB 624 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 91

Noes: Giacometto, Poulsen.

Total 2

Excused: Hoffman, Mercer.

Total 2

Absent or not voting: Campbell, Glaser, Gould, O'Connell, Mr. Speaker.

Total 5

HJR 11 - Representative Miller moved that HJR 11 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore,

Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 96

Noes: None.

Total 0

Excused: Hoffman, Mercer.

Total 2

Absent or not voting: O'Connell, Mr. Speaker.

Total 2

HJR 16 - Representative Peck moved that HJR 16 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Giacometto, Gilbert, Gould, Harrington, Meyers, Thomas.

Total 6

Excused: Hoffman, Mercer.

Total 2

Absent or not voting: None.

Total 0

HB 39 - Representative Nelson moved that HB 39, second reading copy, be amended. Amendment failed. (32-66)

Representative Daily moved that HB 39, second reading copy, be amended as follows:

1. Page 41.

Following: line 6

Insert: "NEW SECTION. Section 27. Vocational-technical center equipment. The equipment of a vocational-technical center designated prior to [the effective date of this act] may not be transferred from the center for 2 years without consent of the school district board of trustees that operated the center prior to [the effective date of this act]."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah,

Hanson, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Squires, Stang, Stratford, Swysgood, Thoft, Vincent, Whalen, Williams, Winslow, Mr. Speaker.
Total 71

Noes: Asay, Bardanouve, Cobb, Cody, Devlin, Ellison, Giacometto, Glaser, Grinde, Hansen, Hayne, Keller, Nathe, Nelson, Peterson, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Spaeth, Swift, Switzer, Thomas, Wallin.
Total 26

Excused: Hoffman, Mercer.
Total 2

Absent or not voting: Strizich.
Total 1

Representative Sands moved that HB 39, second reading copy, be further amended as follows:

1. Title, line 11.

Following: "CENTERS;"

Insert: "REQUESTING THE BOARD OF REGENTS TO REPORT TO THE 51ST LEGISLATURE ON POSSIBLE REORGANIZATION OF POSTSECONDARY VOCATIONAL-TECHNICAL EDUCATION;"

2. Page 41.

Following: line 6

Insert: "NEW SECTION. Section 27. Report by board of regents. The board of regents shall report to the 51st legislature on the following concerns:

- (1) a plan for reorganization of the delivery system for all postsecondary vocational-technical education in Montana;
- (2) a long-term plan for achieving high quality vocational-technical programs at the vocational-technical centers through the possibility of program specialization at each center;
- (3) a plan for elimination of programs that serve few students;
- (4) a plan for consolidation of administrative functions of the individual centers which could result in cost savings and more efficient operations; and
- (5) the feasibility of consolidating postsecondary vocational-technical facilities and staff with nearby units of the university system."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek,

Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: D. Brown, Daily, Driscoll, Harrington, Nisbet, Pavlovich, Quilici, Ream, Strizich, Swysgood, Whalen.

Total 11

Excused: Hoffman, Mercer.

Total 2

Absent or not voting: None.

Total 0

Representative Rapp-Svrcek moved that HB 39, second reading copy, be further amended as follows:

1. Sands amendment, 2/14/87, 10:15 a.m.

Amendment No. 2.

Following: subsection (2)

Insert: "(3) the feasibility and appropriateness of closure of one or more of the vocational-technical facilities;"

Amendment passed as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Connelly, Corne', Devlin, Donaldson, Ellison, Fritz, Giacometto, Gilbert, Gould, Grinde, Hanson, Harp, Hayne, Holliday, Iverson, Jones, Kadas, Keller, Kennerly, Lory, Manuel, Menke, Meyers, Nathe, Nelson, Patterson, Peterson, Pistoria, Poff, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 53

Noes: Addy, Bachini, D. Brown, Bulger, Campbell, Compton, Daily, Darko, DeMars, Driscoll, Eudaily, Glaser, Grady, Hansen, Harper, Harrington, Jenkins, Keenan, Kitselman, Koehnke, McCormick, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Poulsen, Quilici, Raney, Ream, Russell, Sales, Schye, Squires, Stang, Strizich, Swysgood, Vincent, Whalen, Williams.

Total 44

Excused: Hoffman, Mercer.

Total 2

Absent or not voting: Hannah.

Total 1

Representative Donaldson moved that HB 39, second reading copy, be further amended as follows:

1. Title, line 11.

Following: "CENTERS;"

Insert: "ALLOWING FOR A VOTE FOR AN ADDITIONAL LEVY TO SUPPORT A CENTER;"

2. Page 2, line 20.

Following: "sources"

Insert: "and the provisions of 20-7-332(3)"

3. Page 31, line 13.

Following: "located"

Insert: "in which a designated vocational-technical center is located"

4. Page 35, line 13.

Following: "regents"

Insert: "and the provisions of subsection (3)"

5. Page 35.

Following: line 22

Insert: "(3) If an additional levy for a center is approved under [section 27], the board of regents may charge an additional tuition amount not to exceed \$40 a quarter to a student at the center who is a resident of Montana but who is not a property taxpayer of the county or an owner of a vehicle registered within the county where the center is located."

6. Page 41.

Following: line 6

Insert: "NEW SECTION. Section 27. Additional levy by school district — procedure. (1) For school fiscal years 1988 and 1989, the trustees of a school district that operated a vocational-technical center prior to July 1, 1987, may propose to the board of regents that a budget for salaries, benefits, operations, and equipment be adopted for the center in excess of the amount appropriated by the legislature.

(2) If the board of regents approves of a budget for a center in excess of the appropriated amount, the trustees of the district that operated the center shall submit to the qualified electors of the district, pursuant to 20-20-301 and in the manner prescribed by 20-9-353, a proposition for an additional levy for the additional funding. When the proposition is presented to the electorate, the proposition must be presented as a separate issue on the ballot.

(3) If a proposition for an additional levy for a vocational-technical center is approved by the electorate, the board of regents shall request the establishment of an individual account for the center in the state treasury as determined by the department of administration. The funds in each center account are available for approved expenditures for the center. After July 1, 1989, any unexpended funding in a center account must be returned to the school district that requested the additional funding."

Renumber: subsequent sections

7. Page 41, line 15.

Following: "5"

Insert: "and 27"

8. Page 41, line 17.

Following: "5"

Insert: "and 27"

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gould, Grady, Grinde, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Raney, Rapp-Svrcek, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thoft, Wallin, Williams, Winslow.

Total 61

Noes: Bachini, Bradley, D. Brown, Campbell, Connelly, Corne', Daily, Driscoll, Fritz, Gilbert, Glaser, Hannah, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Kitselman, Menahan, Miles, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Strizich, Swysgood, Thomas, Vincent, Whalen, Mr. Speaker.

Total 38

Paired: Mercer, Aye; Harrington, No.

Excused: Hoffman.

Total 1

Absent or not voting: None.

Total 0

Representative Donaldson moved that HB 39, as amended, do pass.

Representative Thomas made a substitute motion that HB 39, second reading copy, be further amended. Amendment failed. (9-88)

HB 39, as amended, passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gould, Grady, Grinde, Hansen, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, McCormick, Manuel, Menke, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Vincent, Williams, Winslow, Mr. Speaker.

Total 75

Noes: Devlin, Ellison, Gilbert, Glaser, Hannah, Hanson, Harp, Harrington, Koehnke, Menahan, Mercer, Nathe, Pavlovich, Peterson, Quilici, Ramirez, Rehberg, Roth, Sales, Swift, Thomas, Wallin, Whalen.

Total 23

Paired: Eudaily, Aye; Mercer, No.

Excused: Hoffman.

Total 1

Absent or not voting: Lory.

Total 1

HB 298 - Representative Rapp-Svrcek moved that HB 298 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Asay, Campbell, Glaser, Grinde, Koehnke, Sales, Swift, Switzer, Swysgood, Thoft.

Total 10

Excused: Hoffman, Mercer.

Total 2

Absent or not voting: Bardanouve, J. Brown.

Total 2

HB 364 - Representative Jenkins moved that HB 364, second reading copy, be amended. Amendment failed. (30-65)

Representative Manuel excused at this time.

Representative Bradley moved that HB 364 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 75

Noes: Cohen, Driscoll, Hansen, Harrington, Holliday, Jenkins, Koehnke, McCormick, Meyers, Miles, Moore, O'Connell, Pistoria, Poff, Raney, Russell, Schye, Stang, Stratford, Whalen.

Total 20

Excused: Hoffman, Manuel, Mercer.

Total 3

Absent or not voting: Poulsen, Rapp-Svrcek.

Total 2

HB 370 - Representative Asay moved that HB 370 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Grady, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Menahan, Menke, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Campbell, Glaser, Gould, Grinde, Hansen, Jenkins, Koehnke, Nathe, Switzer, Swysgood, Thoft.

Total 11

Excused: Hoffman, Manuel, Mercer.

Total 3

Absent or not voting: Cohen, Poulsen, Whalen.

Total 3

HB 380 - Representative Sales moved that HB 380, second reading copy, be amended as follows:

1. Page 3, lines 16 through 18.

Strike: "The" on line 16 through "1987." on line 18

Amendment passed as follows:

Ayes: Asay, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Menahan, Menke, Miles, Miller, Moore, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Addy, Bachini, Bradley, Connelly, Fritz, Gould, Hansen, Kadas, McCormick, Meyers, Nisbet, O'Connell, Pistoria, Poff, Rapp-Svrcek, Ream, Russell, Spaeth, Squires.

Total 19

Excused: Hoffman, Manuel, Mercer.

Total 3

Absent or not voting: Corne', Nathe.

Total 2

Representative D. Brown moved that HB 380, as amended, do pass.

Representative Marks made a substitute motion that HB 380, second reading copy, be further amended as follows:

1. Page 4.

Following: line 23

Strike: section (5) in its entirety

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Kennerly, Kitselman, Koehnke, Lory, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Asay, Bachini, Cody, Connelly, Fritz, Kadas, McCormick, Poff, Ream, Russell, Schye.

Total 11

Excused: Hoffman, Manuel, Mercer.

Total 3

Absent or not voting: Gould, Keller.

Total 2

HB 380, as amended, failed to pass as follows:

Ayes: Addy, Bardanouve, Bradley, D. Brown, Bulger, Campbell, Cobb, Cohen, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Harper, Harrington, Holliday, Iverson, Jones, Keenan, Keller, Kennerly, Menahan, Miles, Miller, Pavlovich, Phillips, Poulsen, Quilici, Raney, Russell, Sales, Squires, Strizich, Switzer, Vincent, Whalen, Williams, Mr. Speaker.

Total 42

Noes: Asay, Bachini, Brandewie, J. Brown, Cody, Compton, Connelly, Devlin, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Jenkins, Kadas, Kitselman, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Pistoria, Poff, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Swysgood, Thoft, Thomas, Wallin, Winslow.

Total 56

Paired: D. Brown, Aye; Mercer, No.

Excused: Hoffman, Manuel.

Total 2

Absent or not voting: None.

Total 0

Representative Hannah moved that HB 380 do not pass. Representative Harper made a substitute motion that consideration of HB 380 be passed for the day. Motion carried. (52-45)

HB 561 - Representative Simon moved that HB 561, second reading copy, be amended as follows:

1. Page 1, line 5.

Strike: ", EXCEPT" through "ASSESSOR," on line 6

2. Page 9, line 15.

Following: "official"

Strike: "2 except the county assessor"

3. Page 9, line 19.

Strike: "March"

Insert: "May"

4. Page 9, line 20.

Strike: "(2)(a)" through "employees." on page 10, line 10

Renumber: subsequent subsection

5. Page 11, line 8.

Following: "attorney"

Insert: ", including longevity payments provided in 7-4-2503(3)(d),"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick,

Menahan, Menke, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 92

Noes: None.

Total 0

Excused: Hoffman, Manuel, Mercer.

Total 3

Absent or not voting: Cohen, Harper, Miles, Stang, Mr. Speaker.

Total 5

Representative Simon moved that HB 561, as amended, do pass.
Motion carried as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Jones, Kadas, Keller, Kitselman, Lory, Menke, Miller, Moore, Nathe, Nelson, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Squires, Stang, Swift, Switzer, Swysgood, Thoft, Vincent, Williams, Winslow, Mr. Speaker.

Total 61

Noes: Addy, Bachini, D. Brown, Bulger, Cohen, Darko, DeMars, Gould, Grady, Harper, Harrington, Holliday, Iverson, Jenkins, Keenan, Kennerly, Koehnke, McCormick, Meyers, Miles, Nisbet, O'Connell, Peck, Pistoria, Raney, Ream, Russell, Schye, Spaeth, Stratford, Strizich, Thomas, Wallin, Whalen.

Total 34

Excused: Hoffman, Manuel, Mercer.

Total 3

Absent or not voting: Connelly, Menahan.

Total 2

HB 424 - Representative J. Moore moved that HB 424 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 86

Noes: Campbell, Devlin, Giacometto, Glaser, Grinde, Switzer, Swysgood, Mr. Speaker.

Total 8

Excused: Hoffman, Manuel, Mercer.

Total 3

Absent or not voting: Kadas, Lory, Peterson.

Total 3

HB 467 - Representative Ream moved that HB 467 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Grinde, Switzer.

Total 2

Excused: Hoffman, Manuel, Mercer.

Total 3

Absent or not voting: J. Brown.

Total 1

HB 493 - Representative Nathe moved that HB 493 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Squires, Stratford, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 72

Noes: Asay, Cody, Devlin, Giacometto, Hannah, Keller, Menke, Meyers, Miles, Nisbet, Peterson, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Spaeth, Stang, Strizich, Switzer, Mr. Speaker.

Total 23

Excused: Hoffman, Manuel, Mercer.

Total 3

Absent or not voting: D. Brown, Grinde.

Total 2

Representative Harp excused at this time.

HB 497 - Representative Miller moved that HB 497 do pass. Motion failed. (43-53)

Representative Hannah moved that HB 497 do not pass. Motion carried as follows:

Ayes: Addy, Bradley, Brandewie, J. Brown, Campbell, Cody, Compton, Corne', Daily, Darko, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hayne, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Mr. Speaker.

Total 55

Noes: Asay, Bachini, Bardanouve, D. Brown, Cobb, Cohen, Connelly, DeMars, Donaldson, Driscoll, Fritz, Grady, Hansen, Hanson, Harper, Harrington, Holliday, Kadas, Keenan, Menahan, Miles, Miller, Moore, Nisbet, Pavlovich, Peck, Peterson, Phillips, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Winslow.

Total 40

Paired: Mercer, Aye; Miller, No.

Excused: Harp, Hoffman, Manuel.

Total 3

Absent or not voting: Bulger, O'Connell.

Total 2

HB 505 - Representative Menahan moved that HB 505 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Sales.

Total 1

Excused: Harp, Hoffman, Manuel, Mercer.

Total 4

Absent or not voting: None.

Total 0

HB 506 - Representative Campbell moved that HB 506, second reading copy, be amended as follows:

1. Title, line 6.

Strike: "MAINTENANCE"

Insert: "SANDING"

2. Page 1, line 11.

Strike: "maintenance"

Insert: "sanding"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Driscoll, McCormick, Whalen.

Total 3

Excused: Harp, Hoffman, Manuel, Mercer.

Total 4

Absent or not voting: D. Brown, Lory.

Total 2

Representative Hansen moved that HB 506, as amended do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 86

Noes: Giacometto, Grinde, Holliday, Lory, Peterson, Roth, Sales, Switzer, Mr. Speaker.

Total 9

Excused: Harp, Hoffman, Manuel, Mercer.

Total 4

Absent or not voting: D. Brown.

Total 1

HB 538 - Representative Winslow moved that HB 538 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith,

Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Bardanouve, Connelly, Giacometto, Hansen, Kadas, Nisbet, Spaeth, Squires.

Total 8

Excused: Harp, Hoffman, Manuel, Mercer.

Total 4

Absent or not voting: None.

Total 0

HB 562 - Representative Cobb moved that HB 562, second reading copy, be amended as follows:

1. Page 58, line 5.

Following: "(2)"

Insert: "(a)"

2. Page 58.

Following: line 21

Insert: "(b) notwithstanding 2(a), 51% of the employees of a state store, or a person operating the store under an agency agreement, may purchase their individual state-operated store or agency store, for the following price:

(i) 80% of the value of the store's inventory (at the retail price, including taxes, determined by the department), and full market value of store furniture, fixtures, and related merchandise and equipment. The purchaser is entitled to assume title to the store inventory, store furniture and fixtures, lease, if any, and related merchandise and equipment. The department shall develop a list of items that will be assumed by the purchaser.

(ii) This section (2(b)), must be exercised by the above-named persons on or before October 1, 1987, otherwise section 2(a) takes effect."

3. Page 58, line 22.

Following: "bidder"

Insert: "under 2(a), or a purchaser under 2(b),"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Kadas, Keenan, Keller, Kennerly, Koehnke, McCormick, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Stang, Strizich, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 67

Noes: Bulger, Campbell, Giacometto, Gilbert, Glaser, Gould, Grinde, Iverson, Jones, Kitselman, Nelson, Pavlovich, Peterson, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Squires, Stratford, Swift, Swysgood, Thomas.

Total 26

Excused: Harp, Hoffman, Manuel, Mercer.

Total 4

Absent or not voting: Compton, Jenkins, Lory.

Total 3

Representative Simon moved that HB 562, as amended, do pass.

Representative Bulger excused at this time.

After considerable debate, Representative Gould made a substitute motion that HB 562 do not pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, D. Brown, J. Brown, Campbell, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Gould, Grady, Hansen, Harper, Harrington, Holliday, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Menahan, Menke, Meyers, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Thoft, Vincent, Wallin, Whalen, Williams.

Total 62

Noes: Asay, Bradley, Brandewie, Cobb, Compton, Devlin, Fritz, Giacometto, Glaser, Grinde, Hanson, Hayne, Iverson, Jones, Kitselman, Nathe, Nelson, Patterson, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thomas, Winslow, Mr. Speaker.

Total 32

Excused: Bulger, Harp, Hoffman, Manuel, Mercer.

Total 5

Absent or not voting: Hannah.

Total 1

Representative Harp present at this time.

HB 574 - Representative Pavlovich moved that HB 574 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Fritz, Gilbert, Gould, Grady, Hansen, Hanson, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Menahan, Menke, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Strizich, Swysgood, Thoft, Vincent, Whalen, Williams, Mr. Speaker.

Total 64

Noes: Campbell, Devlin, Donaldson, Eudaily, Giacometto, Glaser, Grinde, Hannah, Harp, Harper, Hayne, Keller, Kitselman, Meyers, Miles, Nelson, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Squires, Stang, Stratford, Swift, Switzer, Thomas, Wallin, Winslow.

Total 31

Excused: Bulger, Hoffman, Manuel, Mercer.

Total 4

Absent or not voting: Pistoria.

Total 1

HB 622 - Representative Brandewie moved that HB 622 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 90

Noes: Campbell, Ellison, Hannah, Harp, Mr. Speaker.
Total 5

Excused: Bulger, Hoffman, Manuel, Mercer.
Total 4

Absent or not voting: Rapp-Svrcek.
Total 1

HB 626 - Representative Fritz moved that HB 626 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 91

Noes: Campbell, Gould, Hannah, Rehberg, Roth.
Total 5

Excused: Bulger, Hoffman, Manuel, Mercer.
Total 4

Absent or not voting: None.
Total 0

Representative Menahan excused at this time.

HB 640 - Representative Swift moved that HB 640 do pass. Motion carried as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.
Total 49

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Grady, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Spaeth, Squires, Strizich, Vincent, Whalen, Williams.

Total 47

Paired: Donaldson, Aye; Menahan, No.

Excused: Bulger, Hoffman, Manuel, Mercer.

Total 4

Absent or not voting: None.

Total 0

Representative Harrington excused at this time.

HJR 24 - Representative Swift moved that HJR 24 do pass. Motion failed. (44-45)

Representative Hannah moved that HJR 24 do not pass. Motion failed. (18-76)

Representative Hannah moved that the House reconsider its action in failing to pass HJR 24. Motion carried.

Representative Swift moved that HJR 24 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 75

Noes: Bardanouve, Bradley, Cody, Daily, Devlin, Fritz, Gilbert, Glaser, Hannah, Menke, Meyers, Peck, Pistoria, Sales, Sands, Switzer, Swysgood, Thoft.

Total 18

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.

Total 6

Absent or not voting: Mr. Speaker.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Keenan moved the adoption of the committee report. Report adopted. (83-10)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 742**, introduced by Cobb. Referred to Committee on Appropriations.
- HB 743**, introduced by Sales, Connelly, Vincent. Referred to Committee on Taxation.
- HB 744**, introduced by Ramirez, Fritz, J. Brown, Sales. Referred to Committee on Local Government.
- HB 745**, introduced by Ramirez, Fritz, J. Brown, Sales. Referred to Committee on Local Government.
- HB 746**, introduced by Brandewie, Cohen. Referred to Committee on Natural Resources.
- HB 747**, introduced by Gould, Campbell, Harding, McCallum, Kolstad, Jenkins, Quilici, Fritz, C. Smith, Vaughn, Connelly, Manning, Van Valkenburg, Keenan, Miles, E. Smith, (By Request of the Secretary of State). Referred to Committee on State Administration.
- HB 748**, introduced by Ramirez, Thayer, D. Brown, Halligan, Spaeth, Neuman, Mazurek, Holliday, Grady, Winslow, Quilici, Keating, Marks, (By Request of the Secretary of State). Referred to Committee on Judiciary.
- HB 749**, introduced by Squires, Connelly, Hansen, Fritz, Marks, Rasmussen, Cohen, Driscoll, Whalen, Keenan, B. Williams, Tveit, Bengtson, B. Brown. Referred to Committee on Human Services.
- HB 750**, introduced by Gilbert. Referred to Committee on Natural Resources.
- HB 751**, introduced by Winslow. Referred to Committee on Taxation.
- HB 752**, introduced by Winslow. Referred to Committee on Human Services.
- HB 753**, introduced by Ramirez, D. Brown, Iverson, Grinde, J. Brown, Marks, Switzer, Poulsen. Referred to Committee on State Administration.
- HB 754**, introduced by Bradley, Iverson, Spaeth, (By Request of the Water Policy Committee). Referred to Committee on Judiciary.
- HB 755**, introduced by Cobb, Gould. Referred to Committee on State Administration.
- HB 756**, introduced by Cohen, Driscoll, Nisbet, Moore, Stang, McCormick, Manning, Harrington, Yellowtail, Bachini, Hansen, Russell, Harper, Raney, Keenan, Weeding, Whalen, O'Connell, Addy, Vincent, Miles, Darko, Poff, Cody, Rapp-Svrcek, Pavlovich, Schye, Koehnke, Strizich, Manuel, Kennerly, Holliday, Ream. Referred to Committee on Taxation.
- HB 757**, introduced by Whalen. Referred to Committee on Judiciary.
- HB 758**, introduced by Whalen. Referred to Committee on Judiciary.
- HB 759**, introduced by Asay. Referred to Committee on Taxation.
- HB 760**, introduced by Ream, D. Brown, Halligan, Weeding, Quilici, Miles, Harper, Lory, Harrington, Iverson, Keenan, Moore, Spaeth, Menahan, Jacobson, Vincent, Squires, Hansen, Bradley, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Natural Resources.
- HB 761**, introduced by Thoft. Referred to Committee on Judiciary.
- HB 762**, introduced by J. Brown, Connelly, Brandewie, Donaldson, Grady, Cohen, Darko. Referred to Committee on Local Government.
- HB 763**, introduced by Addy, Hannah. Referred to Committee on Business and Labor.
- HB 764**, introduced by Nathe, Devlin. Referred to Committee on Education and Cultural Resources.
- HB 765**, introduced by Vincent, Lory, Bardanouve, Nathe, Bradley, Thoft, Fritz, Harp, Harper, Cobb, Spaeth, Winslow, Quilici. Referred to Committee on Business and Labor.

HB 766, introduced by Nathe. Referred to Committee on Education and Cultural Resources.

HB 767, introduced by Fritz. Referred to Committee on State Administration.

HB 768, introduced by Ramirez, Gilbert. Referred to Committee on Taxation.

HB 769, introduced by Patterson, (By Request of the State Auditor). Referred to Committee on Business and Labor.

HB 770, introduced by Meyers, Pinsoneault, Harding, Harper, Holliday, Manuel, Ramirez. Referred to Committee on Natural Resources.

HB 771, introduced by Glaser, Thayer, (By Request of the State Auditor). Referred to Committee on Business and Labor.

HB 772, introduced by Brandewie, Glaser, Driscoll. Referred to Committee on Business and Labor.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 282 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Bardanouve, Grinde, Harp, Spaeth, Switzer, Swysgood, Thoft, Thomas.

Total 8

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.

Total 6

Absent or not voting: None.

Total 0

HB 358 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.

Total 6

Absent or not voting: None.

Total 0

HB 361 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Pavlovich.

Total 1

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.

Total 6

Absent or not voting: None.

Total 0

HB 389 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.

Total 6

Absent or not voting: None.

Total 0

HB 396 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily,

Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Peck, Ramirez, Whalen.

Total 3

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.

Total 6

Absent or not voting: Driscoll.

Total 1

HB 404 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.

Total 6

Absent or not voting: None.

Total 0

HB 443 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Asay, Ellison, Fritz, Peck.

Total 4

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.
Total 6

Absent or not voting: None.
Total 0

HB 453 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 81

Noes: Asay, Devlin, Ellison, Harper, Kennerly, Koehnke, Lory, Ream, Russell, Sales, Sands, Swift, Mr. Speaker.
Total 13

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.
Total 6

Absent or not voting: None.
Total 0

HB 457 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 92

Noes: Hansen.
Total 1

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.
Total 6

Absent or not voting: Peterson.
Total 1

HB 476 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson,

Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 88

Noes: Bardanouve, Ellison, Kadas, Peck, Poulsen, Sales.
Total 6

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.
Total 6

Absent or not voting: None.
Total 0

HB 487 passed as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 86

Noes: Asay, Bardanouve, Fritz, Kadas, Nathe, Peck, Stang, Switzer.
Total 8

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.
Total 6

Absent or not voting: None.
Total 0

HB 488 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.
Total 6

Absent or not voting: Kennerly.
Total 1

HB 499 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.

Total 6

Absent or not voting: None.

Total 0

HB 504 passed as follows:

Ayes: Bachini, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Menke, Miles, Miller, Moore, Nathe, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Sales, Simon, Smith, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 63

Noes: Addy, Asay, Bardanouve, D. Brown, Cohen, Ellison, Eudaily, Giacometto, Gilbert, Grinde, Hayne, Jones, Kitselman, Lory, McCormick, Meyers, Nelson, Nisbet, O'Connell, Poff, Poulsen, Rehberg, Russell, Sands, Schye, Spaeth, Squires, Switzer, Swysgood, Wallin, Whalen.

Total 31

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.

Total 6

Absent or not voting: None.

Total 0

HB 507 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Bardanouve, Peck, Poulsen.

Total 3

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.

Total 6

Absent or not voting: None.

Total 0

HB 508 passed as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Addy, Bardanouve, Driscoll, Ellison, Fritz, Koehnke, Peck, Poulsen.

Total 8

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.

Total 6

Absent or not voting: Giacometto.

Total 1

HB 534 passed as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 72

Noes: Addy, Bardanouve, Bradley, Bulger, Cohen, Connelly, Corne', Darko, Fritz, Gould, Hansen, Harper, Kadas, Keenan, Kennerly, Miles, Moore, Nisbet, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Strizich, Vincent, Whalen.

Total 28

Paired: Hannah, Harrington, Hoffman, Manuel, Menahan, Mercer, Ayes; Addy, Bulger, Miles, Rapp-Svrcek, Spaeth, Whalen, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 571 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Cohen, Giacometto, Harper, Kadas, Meyers, Whalen.

Total 6

Excused: Bulger, Harrington, Hoffman, Manuel, Menahan, Mercer.

Total 6

Absent or not voting: None.

Total 0

MOTIONS

Representative Donaldson moved that HB 538 and HJR 16 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Campbell moved that HB 201 be taken from the Committee on State Administration and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks thanked this week's pages for their services and introduced them as follows:

Cindy Brenden, Kalispell
 Mary O'hara, Rosebud
 Greg Lauer, Libby
 Kathleen Campbell, Anaconda
 Brian Arvish, Helena
 Michelle Blair, Billings
 Chanda Driscoll, Helena
 Randi Erickson, Columbia Falls
 Bruce Detert, St. Ignatius

Representative Hannah moved that the House adjourn until 2:30 p.m., February 16, 1987.

Motion carried.

House adjourned at 5:35 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

THIRTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 16, 1987

House Chambers
State Capitol

House convened at 2:40 p.m., Mr. Speaker in the Chair. Invocation by Representative Hayne. Pledge of Allegiance to the Flag.

Roll call. All members present except Eudaily and the Committee on Natural Resources, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-fifth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/16/87

Correctly printed: HB 123, HB 236, HB 256, HB 313, HB 343, HB 450, HB 501, HB 531, HB 579, HB 585, HB 629, HB 639, HB 646, HB 648, HB 651, HJR 8.

Correctly engrossed: HB 39, HB 298, HB 364, HB 370, HB 424, HB 467, HB 493, HB 505, HB 506, HB 538, HB 561, HB 574, HB 612, HB 622, HB 624, HB 626, HB 640, HJR 11, HJR 16, HJR 24.

BUSINESS AND LABOR (Kitselman, Chairman):

2/16/87

HB 593, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AN"

Following: "EFFECTIVE"

Strike: "DATE"

Insert: "DATES"

2. Page 2, line 18.

Following: "equipment,"

Insert: "taxes foregone,"

3. Page 6, lines 7 and 8.

Following: "(1)" on line 7

Strike: remainder of line 7 and 8 through "is"

Insert: "Sections 1 through 4 are effective July 1, 1989.

(2) Sections 5 through 11 and this section are"

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 689, do pass. Report adopted.

HB 691, introduced bill, be amended as follows:

1. Page 2, line 12.

Strike: "account"

Insert: "line"

And, as amended, do pass. Report adopted.

HB 727, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "EMPLOYEES"

Insert: "RESIDENT MANAGERS"

2. Page 2, line 25.

Strike: "persons"

Insert: "resident managers"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 500, do not pass.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

2/16/87

HB 576, do pass. Report adopted.

HB 682, do pass. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman):

2/14/87

HB 581, do pass. Report adopted.

HB 627, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "TWO"

2. Title, line 6.

Following: "PROGRAMS"

Insert: "TO REPLACE THOSE DONE AT STATE INSTITUTIONS"

3. Title, lines 6 through 9.

Strike: "; PROHIBITING" on line 6 through "MCA" on line 9

4. Page 1, line 13.

Strike: "two"

Insert: "additional"

Following: "(1)"

Strike: "The"

Insert: "Subject to the availability of funding, the"

5. Page 1, line 17.

Following: "court"

Insert: "to replace similar programs performed at state institutions"

6. Pages 2 through 5.

Following: line 3 on page 2

Strike: section 2 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 637, do pass. Report adopted.

HB 641, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "MEDICAL"

2. Title, line 5.

Strike: "CHILDREN"

Insert: "INDIVIDUALS LESS THAN 18 YEARS OF AGE"

Following: "HOSPITAL"

Insert: "UNDER CERTAIN CIRCUMSTANCES"

Strike: "WHEN NO"

3. Title, line 6.

Strike: "OTHER MEDICAL TREATMENT IS AVAILABLE"

Strike: "AND"

4. Title, line 7.

Strike: "53-6-301"

Insert: "53-21-506"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE"

5. Pages 1 through 3.

Strike: everything following the enacting clause

Insert: "Section 1. Section 53-21-506, MCA, is amended to read:

"53-21-506. No commitment to Montana state hospital. (1) An individual less than 18 years of age may not be voluntarily admitted or committed by a court to the Montana state hospital unless such individual is transferred to district court pursuant to 41-5-206.

(2) An individual less than 18 years of age may be temporarily admitted to the Montana state hospital by the department of institutions if:

(a) (i) the court finds that the individual is seriously mentally ill; or

(ii) the court finds that reasonable grounds exist that the individual is suffering from a mental disorder, as defined in 53-21-102, and the court requests an evaluation not to exceed 60 days for the sole purpose of determining whether the individual is seriously mentally ill;

(b) the treatment space provided for in section 5, Chapter 14, Special Laws of June 1986, is fully utilized; and

(c) other appropriate inpatient psychiatric treatment space is not available."

NEW SECTION. Section 2. Effective date — termination. This act is effective on passage and approval and terminates June 30, 1989."

And, as amended, do pass. Report adopted.

HB 647, introduced bill, be amended as follows:

1. Page 1, lines 19 through 21.

Strike: "At" on line 19 through "facility." on line 21

Insert: "The department of health and environmental sciences shall adopt rules governing attending physician review of the drug regimen of each patient under his care in a mental health facility, except that the drug regimen of inpatients in hospitals shall be reviewed no less than weekly."

2. Page 2.

Following: line 2

Insert: "NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of health and environmental sciences to make rules on the subject of the provisions of this act is extended to the provisions of this act."

And, as amended, do pass. Report adopted.

HB 674, do pass. Report adopted.

HB 690, introduced bill, be amended as follows:

1. Page 2, line 5.

Strike: "suit"

Insert: "salt"

2. Page 2, line 8.

Strike: "are"

Following: "phosetamin"

Insert: "to provide for the continuation of medication initiated by a physician for multiple sclerosis"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 686, do not pass.

HB 695, as amended, do not pass.

HB 711, do not pass.

HB 712, as amended, do not pass.

HB 713, do not pass.

JUDICIARY (Lory, Chairman):

2/16/87

HB 509, introduced bill, be amended as follows:

1. Page 1, line 22.

Strike: "commerce"

Insert: "transportation"

2. Page 3, line 3.

Following: "operate"

Insert: ", attempt to operate,"

3. Page 3, line 5.

Following: "drugs."

Insert: "'Under the influence' means that as a result of taking into the body alcohol, drugs, or any combination thereof a person's ability to safely operate the aircraft has been diminished to the slightest degree."

4. Page 3, line 8.

Strike: "Pursuant to 14 C.F.R. 91.11, if"

Insert: "If"

5. Page 4, line 7.

Following: "in"

Insert: "61-8-402 and"

And, as amended, do pass. Report adopted.

HB 590, do pass. Report adopted.

HB 598, do pass. Report adopted.

HB 664, do pass. Report adopted.

HB 679, do pass. Report adopted.

HB 720, introduced bill, be amended as follows:

1. Page 2, line 6.

Strike: "50"

Insert: "25"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

2/14/87

HB 110, do not pass. Vice-Chairman Mercer moved to adopt the committee report. Representative Thomas made a substitute motion that the adverse committee report be rejected and the bill be printed and placed on second reading. Motion failed. (43-54)

The adverse committee report was adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Fritz, Glaser, Gould, Grinde, Hannah, Harrington, Holliday, Iverson, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nisbet, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sales, Sands, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Vincent, Whalen, Williams.

Total 60

Noes: Asay, Cobb, Connelly, Donaldson, Ellison, Giacometto, Gilbert, Grady, Hanson, Harp, Harper, Hayne, Hoffman, Jones, Kadas, Keller, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Schye, Simon, Swift, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 35

Excused: Eudaily.

Total 1

Absent or not voting: Brandewie, Hansen, Jenkins, O'Connell.

Total 4

HB 111, do not pass. Chairman Lory moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nisbet, Patterson, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 80

Noes: Brandewie, Giacometto, Grady, Harp, Harper, Manuel, Miller, Nelson, Pavlovich, Peterson, Phillips, Ramirez, Swift, Swysgood, Thomas, Winslow.

Total 16

Excused: Eudaily.

Total 1

Absent or not voting: O'Connell, Rehberg, Schye.

Total 3

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Hayne, Chairman): 2/16/87

Report the following staff changes:

Hiring of Sandy LaSalle, Committee Aide, as of 1/30/87.

Hiring of Claudia Johnson, Steno, as of 2/16/87.

Hiring of Konrad Ziesing, permanent page to Speaker as of 2/14/87.

Termination of Katrina Kropp, permanent page to Speaker as of 2/14/87.

SB 32, be concurred in. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

2/16/87

HB 587, introduced bill, be amended as follows:

1. Title, line 6.

Following: "COLLECTION;"

Insert: "PROVIDING OTHER CHANGES IN DATES RELATING TO SEWER CHARGES;"

2. Page 1, lines 13 and 16.

Strike: "January"

Insert: "July"

3. Page 1, line 22.

Strike: "July 1"

Insert: "August 15"

And, as amended, do pass. Report adopted.

HB 697, do pass. Report adopted.

HB 722, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "INSPECTION"

Insert: "CERTIFICATION"

2. Title, lines 6 and 7.

Strike: "ALLOWING" on line 6 through "INSPECTIONS;" on line 7

Strike: "SECTIONS 76-4-105 AND" on line 7

Insert: "SECTION"

3. Pages 1 through 3.

Following: the enacting clause

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 3, line 23 through line 3, page 4.

Following: "(2)" on line 23

Strike: subsection (2)(a) in its entirety

5. Page 4, line 4.

Strike: "(b) Alternatively, the"

Insert: "The"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Jones, Chairman):

2/13/87

HB 246, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "ACTUAL"

Insert: "WRITTEN"

2. Page 2, line 9.

Strike: "A"

Insert: "At least 20 days prior to the public hearing, a"

3. Page 2, lines 11 through 13.

Strike: "is" on line 11 through line 13 in its entirety

Insert: "shall cause written notice of any hearing thereon to be served upon the record owners of the oil and gas and leasehold interests sought to be spaced or pooled. Notice must be given by mailing the written notice, postage prepaid, to their addresses as shown by the

record of the county clerk and recorder at the time the notice is given."

4. Page 2, line 14.

Strike: "actual"

Insert: "written"

5. Page 3.

Following: line 3

Insert: "NEW SECTION. Section 2. Extension of authority. Any existing authority of the board of oil and gas conservation to make rules on the subject of the provisions of this act is extended to the provisions of this act."

And, as amended, do pass. Report adopted.

HB 397, introduced bill, be amended as follows:

2/16/87

1. Title, line 4.

Following: "INCREASE"

Insert: "UNDER CERTAIN CONDITIONS"

2. Title, line 7.

Following: "ACT,"

Insert: "TO PROVIDE FOR NOTICE TO THE PUBLIC AND TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION;"

3. Page 4, line 12.

Strike: "161"

Insert: "115"

4. Page 4, line 13.

Following: "term"

Insert: ":

(i)"

5. Page 4, line 16.

Following: "length;"

Insert: "and

(ii) does include an electric transmission line with a design capacity of more than 69 kilovolts and up to and including 115 kilovolts for which owners of more than 25% of the property comprising the proposed centerline location have not agreed with the applicant to a right-of-way or an option for a right-of-way for the centerline location on their property;"

6. Page 5.

Following: line 14

Insert: "NEW SECTION. Section 2. Notice requirement for certain electric transmission lines. Whenever a person plans to construct an electric transmission line or associated facilities of a design capacity of more than 69 kilovolts and up to and including 115 kilovolts that is more than 10 miles in length, public notice must be provided to persons residing in the area in which any portion of the electric transmission facility may be located and notice must be provided to the department. This notice must be made no less than 180 days prior to the commencement of acquisition of right-of-way by publication of a summary describing the transmission facility and the proposed location of the facility in those newspapers that will

substantially inform those persons of the construction and by mailing such a summary to the department.”

Renumber: subsequent sections

7. Page 5.

Following: line 18

Insert: “NEW SECTION. Section 4. Codification instruction. Section 2 is intended to be codified as an integral part of Title 75, chapter 20, part 2, and the provisions of Title 75, chapter 20, part 2, apply to section 2.”

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 416, introduced bill, be amended as follows:

1. Page 2, lines 15 through 17.

Strike: “that” on line 15 through “amended” on line 17

Insert: “independent of the federal program in order to meet the needs of Montana”

2. Page 9, lines 12 and 13.

Strike: “more” on line 12 through “tanks” on line 13

Insert: “appropriate standards of compliance for underground storage tanks that may vary from federal standards”

Committee attached the following statement of intent:

Statement of Intent

HB 416

It is the intent of the legislature that the enforcement and inspection authority of the department of health and environmental sciences under the Montana Hazardous Waste Act also applies to the class of regulated substances addressed by the underground storage tank program.

It is the intent of the legislature that the department of health and environmental sciences has the authority to adopt rules setting forth a schedule of fees if necessary to defray state or local costs of implementing the underground storage tank program. This authority is necessary to allow the department to develop alternative ways of funding the underground storage tank program in the event that the contribution of federal funds is no longer sufficient to support the program.

It is further the intent of the legislature that the department of health and environmental sciences continues to have the authority to adopt rules for the prevention of leakage from underground storage tanks that meet the needs of Montana.

And, as amended, do pass. Report adopted.

HB 661, introduced bill, be amended as follows:

1. Title, lines 5 through 7.

Strike: “AN” on line 5 through “IRRIGATION” on line 7

Insert: “MAINTENANCE AND REPAIR OF EXISTING IRRIGATION FACILITIES”

2. Page 2, lines 5 through 9.

Strike: “an” on line 5 through line 9 in its entirety

Insert: “customary and historic maintenance and repair of existing irrigation facilities:

(i) that do not significantly alter or modify the stream in contravention of 75-7-102, as determined by the team; or

(ii) for which an annual plan of operation has been submitted to and approved by the district. The plan is subject to future review and approval by the district at its option. Any modification to the plan must have prior approval of the district."

And, as amended, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

2/16/87

HB 565, introduced bill, be amended as follows:

1. Title, line 7.

Following: "PURPOSES;"

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN APPLICABILITY DATE"

2. Page 5.

Following: line 5

Insert: "Section 3. Applicability. This act applies to tax years beginning after December 31, 1987."

And, as amended, do pass. Report adopted.

HB 634, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks

February 13, 1987

Speaker of the House

State Capitol

Helena, Montana 59620

Dear Speaker Marks:

This is to inform you that I have signed House Bills No. 106, 132, 140, 153, and 176 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman

February 16, 1987

President of the Senate

State Capitol

Helena, Montana 59620

The Honorable Robert L. Marks

Speaker of the House

State Capitol

Helena, Montana 59620

Dear Senator Norman and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill 30, "AN ACT PROHIBITING TRANSFER OF BEER BETWEEN LICENSED PREMISES; CLARIFYING WHOLESALERS' RESPONSIBILITIES IN THE DISTRIBUTION OF BEER; DEFINING "DISTRIBUTE" WITH REGARD TO BEER AND TABLE WINE; AMENDING SECTIONS 16-3-301, 16-4-103, and 16-4-108, MCA," without my signature and recommend the attached amendments for the following reasons.

House Bill No. 30 was amended in the House by adding a new section at the beginning of the bill. Subsequent sections were renumbered. Unfortunately the internal references in Sections 3, 6, 7, and 9 were not modified to reflect the renumbering.

The Legislative Council staff has advised my staff of these incorrect references and has requested that I return the bill with the necessary amendments. The enclosed amendments correct the erroneous internal references.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to HB 30

1. Page 3, line 1.
Following: "sections"
Strike: "3 and"
Following: "4"
Insert: "and 5"

2. Page 5, line 13.
Following: "section"
Strike: "2"
Insert: "3"

3. Page 6, line 24.
Following: "section"
Strike: "2"
Insert: "3"

4. Page 7, line 5.
Following: "Sections"
Strike: "2"
Insert: "3"
Following: "through"
Strike: "4"
Insert: "5"

5. Page 7.
Following: line 7
Strike: "2"
Insert: "3"
Following: "through"
Strike: "4"
Insert: "5"

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

2/13/87

HB 98, introduced by Manuel

HB 158, introduced by Nathe

HB 172, introduced by Squires

HB 177, introduced by Jones

HB 194, introduced by Miles

HB 218, introduced by Brandewie

HB 331, introduced by Bradley

House bill indefinitely postponed and returned to the House: 2/14/87

HB 31, introduced by Kitselman

MOTIONS

Representative Hannah moved that the House stand in recess until 3:20 p.m. for party caucuses. Motion carried.

House recessed at 2:50 p.m.

House reconvened at 3:55 p.m.

Mr. Speaker in the Chair.

Committee on Natural Resources present at this time.

Representative Kitselman moved that HB 593 be taken from printing and rereferred to the Committee on Appropriations. Motion carried.

Representative Bradley moved that Asay, C. Smith, and Whalen be added as sponsors to HB 700. Motion carried.

Representative D. Brown moved that consideration of HB 380 on second reading be passed for the day. Motion carried.

Representative Mercer moved that consideration of HB 693 on second reading be passed until the 41st legislative day. Motion carried.

Representative Thomas moved that Addy, Eudaily, Campbell, Miller, Fritz, and Holliday be added as sponsors to HB 721. Motion carried.

Representative Pistoria moved that HB 364 be taken from third reading and placed back on second reading. Motion failed. (31-63)

Representative Ream moved that Halligan be added as joint sponsor of HB 777. Motion carried.

Representative Meyers moved that Mercer be added as a sponsor to HB 770. Motion carried.

Representative Pavlovich moved that the House reconsider its action in failing to pass HB 562 on second reading on the 36th legislative day. This is the state liquor business bill. Motion failed. (39-57)

Representative Roth moved that HB 574 be taken from third reading and rereferred to the Committee on Business and Labor. Motion failed. (48-50)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 773, introduced by Kadas, Miles, Harper, Ream. Referred to Committee on Local Government.

HB 774, introduced by Addy, Hannah. Referred to Committee on Taxation.

HB 775, introduced by Spaeth, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

HB 776, introduced by Nathe, Iverson, Gage, Manuel, Roth, Hayne, Asay, Connelly, D. Brown, Holliday, McCallum, Stratford, Boylan, McLane, Mazurek, Bishop, E. Smith. Referred to Committee on Taxation.

HB 777, introduced by Ream, D. Brown, Quilici, Campbell, Harrington, Harper, Vincent, Blaylock, Iverson, Eck, Grady, Farrell, Winslow, Hannah, Keating, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Natural Resources.

HB 778, introduced by Jenkins, DeMars, Patterson. Referred to Committee on Agriculture.

HB 779, introduced by Schye, Spaeth, Bengtson, Patterson, Manuel, Compton, Abrams, Meyers. Referred to Committee on Agriculture.

HB 780, introduced by Schye, Cody. Referred to Committee on Human Services.

HB 781, introduced by Cohen. Referred to Committee on Natural Resources.

HB 782, introduced by Sands. Referred to Committee on Taxation.

HB 783, introduced by Brandewie, Schye, Cody. Referred to Committee on Local Government.

HB 784, introduced by C. Smith, Jones, (By Request of the Department of Labor and Industry). Referred to Committee on Business and Labor.

HB 785, introduced by Grady, Harper, J. Brown, Gould. Referred to Committee on Taxation.

HJR 30, introduced by Lory, (By Request of the University of Montana). Referred to Committee on Natural Resources.

HJR 31, introduced by Whalen, Regan, Blaylock, Kadas, Strizich, Russell, Pistoria, Driscoll, Pavlovich, Bradley, Keenan. Referred to Committee on Business and Labor.

The following Senate bill was introduced, read first time, and referred to committee:

SB 285, introduced by Farrell, et al. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 47 - Representative Harrington moved that HB 47 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 87

Noes: Campbell, Cobb, Cody, Giacometto, Hannah, Hansen, Ramirez, Switzer.

Total 8

Excused: Eudaily.

Total 1

Absent or not voting: Donaldson, Lory, Ream, Mr. Speaker.

Total 4

HB 56 - Representative Asay moved that HB 56 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 88

Noes: Cody, Cohen, Grinde, Hansen, Harp, Nelson, Sands, Whalen.

Total 8

Excused: Eudaily.

Total 1

Absent or not voting: Kadas, Rapp-Svrcek, Mr. Speaker.

Total 3

HB 241 - Representative Spaeth moved that HB 241 do pass. After debate, Representative Addy made a substitute motion that HB 241, second reading copy, be amended. Amendment failed. (44-55)

Representative Bardanouve made a substitute motion that HB 241, second reading copy, be amended as follows:

1. Page 6, line 1.

Strike: "COLOR,"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Eudaily, Fritz, Giacometto, Gilbert, Kadas, Menke, Stratford, Whalen.

Total 8

Paired: Menahan, Aye; Eudaily, No.

Excused: None.

Total 0

Absent or not voting: Ellison, Hoffman, Pistoria, Ramirez, Sales, Strizich.

Total 6

HB 241, as amended, passed as follows:

Ayes: Asay, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 73

Noes: Addy, Bachini, Bardanouve, D. Brown, Connelly, DeMars, Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Pistoria, Quilici, Raney, Ream, Russell, Squires, Strizich, Whalen.

Total 27

Paired: Eudaily, Aye; Whalen, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 262 - Representative Bradley moved that HB 262 do pass. Motion failed. (47-53)

Representative Hannah moved that HB 262 do not pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, Campbell, Cody, Cohen, Compton, Devlin, Donaldson, Ellison, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Jenkins, Jones, Keller, Kitselman, McCormick, Menke, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Swift, Swysgood, Thoft, Mr. Speaker.

Total 54

Noes: Bradley, J. Brown, Bulger, Cobb, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Giacometto, Hansen, Harrington, Iverson, Kadas, Keenan, Kennerly, Koehnke, Lory, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nisbet, Pavlovich, Peck, Quilici, Ream, Russell, Schye, Squires, Stang, Stratford, Strizich, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 46

Paired: Bardanouve, Aye; Eudaily, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Driscoll in the Chair.

HB 431 - Representative Phillips moved that HB 431 do pass. Motion failed. (48-51)

Representative Hannah moved that HB 431 do not pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cohen, Connelly, Corne', Daily, Driscoll, Fritz, Gilbert, Grinde, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Kadas, Keenan, Kennerly, Kitselman, McCormick, Menahan, Miles, Moore, Nelson, Nisbet, Peck, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Schye, Simon, Spaeth, Squires, Stratford, Vincent, Wallin, Whalen, Williams, Winslow.

Total 51

Noes: Addy, Brandewie, Campbell, Cody, Compton, Darko, DeMars, Devlin, Ellison, Giacometto, Glaser, Gould, Grady, Hanson, Harp, Hayne, Holliday, Jenkins, Jones, Keller, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Rapp-Svrcek, Russell, Sales, Sands, Smith, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas.

Total 46

Excused: Eudaily.

Total 1

Absent or not voting: Donaldson, Mr. Speaker.

Total 2

Representative Peterson excused at this time.

HB 438 - Representative Ream moved that HB 438 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Eudaily, Peterson.

Total 2

Absent or not voting: None.

Total 0

Representative Ream in the Chair.

HB 442 - Representative Mercer moved that HB 442 do pass. Motion carried as follows:

Ayes: Asay, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Daily, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 63

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, Bulger, Cohen, Connelly, Corne', Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Moore, Nisbet, Peck, Pistoria, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Strizich, Vincent, Whalen, Williams.

Total 37

Paired: Eudaily, Peterson, Ayes; Addy, Driscoll, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 463 - Representative Cobb moved that HB 463 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Fritz, Gould, Hannah, Hanson, Harp, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Pistoria, Poff, Poulsen, Rapp-Svrcek, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 67

Noes: J. Brown, Campbell, Cody, Connelly, Devlin, Donaldson, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Harper, Hayne, Keenan, Koehnke, Menke, Miles, Nelson, Peck, Phillips, Ramirez, Raney, Ream, Rehberg, Sands, Stang, Switzer, Swysgood, Thoft.

Total 30

Excused: Eudaily, Peterson.

Total 2

Absent or not voting: Quilici.

Total 1

HB 465 - Representative Cobb moved that HB 465 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson

Pavlovich, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thomas, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Bachini, Bardanouve, Cody, Cohen, Corne', Gilbert, Glaser, Grinde, Kennerly, Kitselman, Meyers, Nelson, Peck, Poulsen, Ramirez, Raney, Rehberg, Russell, Schye, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen.

Total 25

Excused: Eudaily, Peterson.

Total 2

Absent or not voting: D. Brown, Harper.

Total 2

HB 513 - Representative Daily moved that HB 513 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Eudaily, Peterson.

Total 2

Absent or not voting: Harper.

Total 1

HB 519 - Representative O'Connell moved that HB 519 do pass. Representative Driscoll made a substitute motion that HB 519, second reading copy, be amended as follows:

1. Page 2.

Following: line 2

Insert: "Section 3. The commissioner of insurance will report back to the legislature within the first 10 days of the 1989 legislative session as to the economic impact of this act by gender and marital status."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Grady, Grinde, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Menahan, Miles, Moore, Nisbet, Peck, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 51

Noes: Asay, Brandewie, Campbell, Compton, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Rehberg, Roth, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 47

Paired: Rapp-Svrcek, Aye; Peterson, No.

Excused: Eudaily.

Total 1

Absent or not voting: Jenkins.

Total 1

Representative Addy made a substitute motion that HB 519, second reading copy, be further amended. Amendment failed. (33-64)

Representatives Ellison, Harp, Williams, and Sands excused at this time for a meeting of the Revenue Estimating Committee.

Representative Rapp-Svrcek made a substitute motion that HB 519 do not pass. Motion failed. (38-61)

HB 519, as amended, passed as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, Campbell, Cody, Compton, Daily, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 60

Noes: Addy, Bardanouve, Bradley, J. Brown, Bulger, Cobb, Cohen, Connelly, Corne', Darko, DeMars, Driscoll, Fritz, Grady, Hansen, Harp, Harper, Holliday, Kadas, Keenan, Kennerly, Lory, Menahan, Miles, Moore, Nisbet, Peck, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 39

Paired: Ellison, Peterson, Sands, Thomas, Winslow, Ayes; Hansen, Harp, Harper, Rapp-Svrcek, Williams, Noes.

Excused: Eudaily.

Total 1

Absent or not voting: None.

Total 0

HB 591 - Representative Schye moved that HB 591 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers,

Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 86

Noes: Brandewie, Devlin, Grinde, Kadas, Sales.

Total 5

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Williams.

Total 6

Absent or not voting: Cobb, O'Connell, Smith.

Total 3

Representative Schye excused at this time.

HB 620 - Representative Giacometto moved that HB 620 do pass. Motion failed. (21-69)

Acknowledging the "red tide" that accompanies a freshman representative's first bill, amid much laughter, Representative Hannah moved that HB 620 do not pass. Motion failed. (9-83)

Representative Vincent moved that the House reconsider its action on failing to pass HB 620. Motion carried.

HB 620 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 88

Noes: Fritz, Kadas, Nisbet, Pavlovich, Swysgood.

Total 5

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Williams.

Total 7

Absent or not voting: None.

Total 0

Representative Thomas excused at this time.

HB 625 - Representative Hansen moved that HB 625 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson,

Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow.

Total 87

Noes: Asay, Driscoll, Hayne, Phillips, Mr. Speaker.

Total 5

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 669 - Representative Hannah moved that consideration of HB 669 be passed for the day because of the absence of the sponsor, Representative Harp. Motion carried.

HJR 14 - Representative Donaldson moved that HJR 14 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report. Report adopted. (63-27)

MOTIONS

Representative Donaldson moved that HB 463 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Vincent moved that Raney, Bulger, Darko, Pavlovich, Poulsen, Rapp-Svrcek, Menahan, Poff, Schye, Cody, Nisbet, Strizich, DeMars, Stang, Miles, Whalen, Daily, Kennerly, Russell, Hansen, Cohen, Corne', Ream, Moore, Connelly, J. Brown, Pistoria, Kadas, Peck, McCormick, M. Williams, O'Connell, Harrington, Bachini, Addy, Holliday, Squires, Koehnke, Driscoll, D. Brown, Keenan, Manuel, Brandewie, Glaser,

Jones, C. Smith, Peterson, Wallin, Donaldson, Grady, Miller, Gould, and Iverson be added as sponsors to HB 765. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 298 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 78

Noes: Asay, Campbell, Giacometto, Gilbert, Glaser, Grinde, Hannah, Koehnke, Meyers, Sales, Swift, Swysgood, Thoft.

Total 13

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: Smith.

Total 1

HB 364 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Harper, Hayne, Hoffman, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Simon, Smith, Spaeth, Squires, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Winslow, Mr. Speaker.

Total 71

Noes: Cohen, DeMars, Driscoll, Glaser, Hansen, Hanson, Harrington, Holliday, Jenkins, Koehnke, Meyers, Miles, O'Connell, Pistoria, Poff, Raney, Russell, Schye, Stang, Stratford, Switzer, Whalen.

Total 22

Paired: Keenan, Aye; Schye, No.

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Thomas, Williams.

Total 7

Absent or not voting: None.

Total 0

HB 370 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser,

Gould, Grady, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Vincent, Wallin, Winslow, Mr. Speaker.

Total 83

Noes: Campbell, Grinde, Hansen, Koehnke, Switzer, Swysgood, Thoft, Whalen.

Total 8

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: Bulger.

Total 1

HB 424 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Fritz, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 82

Noes: Campbell, Cobb, Devlin, Giacometto,* Glaser, Grinde, Meyers, Phillips, Switzer, Swysgood.

Total 10

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 426 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 91

Noes: Hannah.

Total 1

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 467 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 89

Noes: Cobb, Grinde, Switzer.

Total 3

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 493 passed as follows:

Ayes: Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Fritz, Glaser, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Smith, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow.

Total 69

Noes: Addy, Asay, Cody, Devlin, Giacometto, Gilbert, Gould, Grinde, Hannah, Keller, Meyers, Miles, Nisbet, Peck, Ramirez, Rehberg, Roth, Sales, Simon, Spaeth, Stang, Switzer, Mr. Speaker.

Total 23

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 505 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 89

Noes: Fritz, Giacometto, Peck.

Total 3

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 574 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Fritz, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Whalen, Williams.

Total 66

Noes: Bulger, Campbell, Cobb, Corne', Donaldson, Eudaily, Giacometto, Gilbert, Grinde, Hannah, Hayne, Hoffman, Keller, Kitselman, Koehnke, Menke, Mercer, Meyers, Nelson, Peck, Peterson, Pistoria, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Stang, Switzer, Thomas, Wallin, Winslow, Mr. Speaker.

Total 34

Paired: D. Brown, Ellison, Harp, Harrington, Quilici, Schye, Vincent, Williams, Ayes; Eudaily, Giacometto, Hannah, Peterson, Rehberg, Sands, Stang, Thomas, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 612 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 87

Noes: Driscoll, Meyers, Simon.

Total 3

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: Daily, Koehnke.

Total 2

HB 622 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Bröwn, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 88

Noes: Campbell, Hannah, Spaeth.

Total 3

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: Roth.

Total 1

HB 624 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 91

Noes: Giacometto.

Total 1

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 626 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 86

Noes: Campbell, Hannah, Peck, Ramirez, Rehberg, Roth.

Total 6

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 640 passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 50

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Grady, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Strizich, Vincent, Whalen.

Total 44

Paired: Swift, Thomas, Ayes; Schye, Vincent, Noes.

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Williams.

Total 6

Absent or not voting: None.

Total 0

HJR 11 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Driscoll, Sales.

Total 2

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HJR 24 passed as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Fritz, Giacometto, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 72

Noes: Bardanouve, Bradley, Cody, Daily, Driscoll, Gilbert, Glaser, Grinde, Hannah, Iverson, Kadas, Koehnke, Meyers, Peck, Poff, Quilici, Sales, Strizich, Switzer, Swysgood, Thoft.

Total 21

Paired: Thomas, Aye; Bradley, No.

Excused: Ellison, Eudaily, Harp, Peterson, Sands, Schye, Williams.

Total 7

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:00 p.m., February 17, 1987.

Motion carried.

House adjourned at 9:05 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

HOUSE JOURNAL
OF THE
Fiftieth Legislature
OF THE
STATE OF MONTANA
VOLUME II

Held in Helena, the Seat of Government
Commencing in Regular Session January 5, 1987
and Ending April 23, 1987

ROBERT L. MARKS
Speaker of the House

BOBBY SPILKER
Chief Clerk of the House

Rosana Winterburn
Journal Clerk



PUBLISHED BY

Montana Legislative Council

THIRTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 17, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Fritz. Pledge of Allegiance to the Flag.

Roll call. All members present except Cody and Eudaily, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-sixth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/17/87

Correctly printed: HB 246, HB 397, HB 416, HB 509, HB 565, HB 576, HB 581, HB 587, HB 590, HB 593, HB 598, HB 627, HB 634, HB 637, HB 641, HB 647, HB 661, HB 664, HB 674, HB 679, HB 682, HB 689, HB 690, HB 691, HB 697, HB 720, HB 722, HB 727.

Correctly engrossed: HB 47, HB 56, HB 241, HB 438, HB 442, HB 463, HB 465, HB 513, HB 519, HB 591, HB 620, HB 625, HJR 14.

Correctly enrolled: HB 98, HB 158, HB 172, HB 177, HB 194, HB 218, HB 331.

Examined by the sponsor and found to be correct:

HB 98 - Manuel
HB 172 - Squires
HB 177 - Jones
HB 194 - Miles
HB 218 - Brandewie
HB 331 - Bradley

BUSINESS AND LABOR (Kitselman, Chairman):

2/17/87

HB 449, introduced bill, be amended as follows:

1. Title, line 5.

Following: "FUNDS"

Strike: "AND OF THE COAL TAX TRUST"

2. Page 2, lines 18 through 25.

Strike: subsection (a) in its entirety

Insert: "Nothing contained in this section prevents the investment in any business activity in Montana, including activities that continue existing jobs or create new jobs in Montana.

(a) The board of investments is urged under the prudent expert principle to invest up to 3% of retirement funds in venture capital companies."

3. Page 3, lines 1 through 7.

Strike: subsection (b) in its entirety

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 699, introduced bill, be amended as follows:

1. Page 3, line 8.

Following: "of"

Insert: "advertising medium"

2. Page 3, line 9.

Following: "salesman"

Strike: "who is excluded under 29 U.S.C. 213(a)(1)"

And, as amended, do pass. Report adopted.

HJR 28, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

2/16/87

HB 340, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AND"

2. Title, line 8.

Following: "MCA"

Insert: "; AND PROVIDING AN APPLICABILITY DATE"

3. Page 3, line 12.

Following: "~~within~~"

Insert: "more than"

4. Page 3, line 13.

Following: "town"

Insert: "or from another school of the district"

5. Page 3, line 16.

Strike: "which"

6. Page 3, lines 17 to 19.

Following: "school"

Strike: remainder of line 17 through "locate" on line 19

7. Page 3, lines 21 to 23.

Following: "pupils for"

Strike: "the"

Insert: "ANB"

Following: "purposes"

Strike: remainder of line 21 through "town" on line 23

8. Page 4.

Following: line 20

Insert: "NEW SECTION. Section 3. Applicability. This act is applicable to the ANB calculated in determining funding for school fiscal year 1989 for use in school fiscal year 1990."

And, as amended, do pass. Report adopted.

HB 511, introduced bill, be amended as follows:

1. Page 2.

Following: line 16

Insert: "NEW SECTION. Section 3. Implementation contingency. A board of trustees of a school district is not required to implement this act if the federal government does not appropriate the authorized amount for each qualifying handicapped preschool child for school fiscal year 1991 and beyond."

And, as amended, do pass. Report adopted.

HB 603, introduced bill, be amended as follows:

1. Page 4, line 4.
Following: "reimburse"
Strike: "public"
Following: "libraries"
Insert: "eligible under [section 3]"

Committee attached the following statement of intent:

Statement of Intent
HB 603

A statement of intent is required for this bill because section 5 grants the state library commission authority to promulgate rules and procedures to implement state aid to public libraries on a per capita and per square mile basis, to establish a reimbursement program for interlibrary loans, and to establish a statewide multilibrary card program.

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 2/17/87
HB 580, do pass. Report adopted.

JUDICIARY (Lory, Chairman): 2/17/87
HB 322, introduced bill, be amended as follows:

1. Title, lines 6 and 7.
Strike: "OR ARE" on line 6 through "CONTROL OF" on line 7
2. Title, line 7.
Following: "MOTORBOATS"
Strike: "OR"
Strike: "SAILBOATS"
Insert: ", INCLUDING A SAILBOAT PROPELLED BY A MOTOR OF ANY KIND,"
3. Page 1, line 21.
Strike: "knowingly"
Strike: "or"
4. Page 1, lines 22 and 23.
Strike: "be in" on line 22 through "of" at beginning of line 23
5. Page 1, line 23.
Following: "motorboat"
Strike: "or"
Strike: "SAILBOAT"
Insert: ", including a sailboat propelled by a motor of any kind,"

And, as amended, do pass. Report adopted.

HB 503, do pass. Report adopted.

HB 558, introduced bill, be amended as follows: 2/16/87

1. Page 1, lines 16 through 19.
Strike: "if" on line 16 through "An" on line 19
Insert: "and an"
2. Page 1, line 22.
Following: "offense"
Insert: ", unless the defendant proves that he did not know that it was an intoxicating substance when he consumed, smoked, sniffed, injected, or otherwise ingested the substance causing the condition"

And, as amended, do pass. Report adopted.

HB 605, introduced bill, be amended as follows:

2/17/87

1. Page 2, line 20.

Strike: “.”

2. Page 2, line 21.

Strike: “(i)”

3. Page 2, lines 22 through 24.

Strike: “or” on line 22 through “neglected,” on line 24

4. Page 3, lines 6 through 8.

Strike: subsection (e) in its entirety

Renumber: subsequent subsections

Committee attached the following statement of intent:

Statement of Intent

HB 605

This bill requires a statement of intent because it authorizes the department of social and rehabilitation services to adopt rules to govern the disclosure of case records on reports of child abuse and neglect. The legislature intends that the rules should include procedures or criteria for:

- (1) requesting and disclosing information in the records;
- (2) protecting the identity of person named in the records if rights of privacy require such protection;
- (3) preparing records or reports (psychological, psychiatric, and medical) written by persons other than employees of the department;
- (4) documenting disclosure of the records;
- (5) amending, correcting, or expunging information in the records;
- (6) approving or denying requests for disclosure of the records.

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/17/87

HB 38, introduced bill, be amended as follows:

1. Title, lines 4 through 6.

Strike: “REQUIRING” on line 4 through “;” on line 6

2. Title, line 8.

Strike: “THESE”

Insert: “CERTAIN”

3. Page 1, line 20.

Strike: “7”

Insert: “6”

4. Page 2, line 19.

Following: “,”

Insert: “or”

5. Page 2, line 20.

Strike: “, divorced” through “separated”

6. Page 2, line 21.

Strike: “or”

Insert: “and”

7. Page 2, lines 22 through 24.

Strike: subsection (iii) in its entirety

8. Page 3, line 2.

Following: "disabled;"

Insert: "or"

9. Page 3, line 3.

Strike: ", divorced" through "separated"

10. Page 3, lines 4 through 7.

Strike: "," on line 4 through "claimed" on line 7

11. Page 5, line 20 through line 4, page 6.

Strike: section 2 in its entirety

Renumber: subsequent sections

12. Page 6, line 22.

Strike: "3"

Insert: "2"

13. Page 7, line 3.

Strike: "5"

Insert: "4"

14. Page 7, line 10.

Strike: "3"

Insert: "2"

15. Page 7, line 12.

Strike: "4"

Insert: "3"

16. Page 8, line 5.

Strike: "3"

Insert: "2"

17. Page 8, line 21.

Strike: "7"

Insert: "6"

18. Page 8, line 23.

Strike: "7"

Insert: "6"

19. Page 10, line 6.

Strike: "6"

Insert: "5"

20. Page 10, line 13.

Strike: "3"

Insert: "2"

21. Page 10, line 14.

Strike: "3"

Insert: "2"

22. Page 21, line 11.

Strike: "7"

Insert: "6"

23. Page 22, line 8.

Strike: "7"

Insert: "6"

Committee attached the following statement of intent:

Statement of Intent

HB 38

A statement of intent is required for this bill because section 6 requires the department of administration to adopt rules implementing sections 1 through 5. The legislature intends the rules to adequately provide for the administration of the point preference provided for in section 2 and the retention preference provided for in section 5, but to include only those rules that are reasonably necessary.

It is the desire of the legislature that the department take all necessary steps in formulating, proposing, and adopting rules to ensure that the public, particularly those persons and organizations that have shown past interest in the employment preference law, is afforded sufficient time and opportunity to participate in the rulemaking procedure. The department should give such notice and hold such hearings as will ensure adequate public participation.

Rules adopted by the department apply to both state and local government employers. In formulating its rules, the department should take this into consideration and adopt rules that can be used and applied by the broad spectrum of public employers.

It is the intent of the legislature that the department formulate and adopt rules relating but not limited to the following matters and take into account the following considerations:

(1) Claiming preference — documentation and verification. Rules relating to the job application process should include the manner in which a preference should be claimed when a job is applied for. They should prescribe the means by which the applicant shall document and submit evidence of such things as the applicant's status as a veteran, disabled veteran, eligible relative, and United States citizen. It is the intent of the legislature that rules for claiming and documenting a preference do not place unreasonable burdens upon applicants and that, once an applicant has substantially complied with the rules, a public employer should make every reasonable attempt to verify the existence of the preference.

(2) Military conflicts. The legislature intends the rules to apply federal law to determine what constitutes a campaign or expedition for which a campaign badge is authorized by the congress of the United States or department of defense.

(3) Separations and discharges. The legislature intends the rules to apply federal law and further define separations under honorable conditions and the various types of discharges.

(4) Hiring decision notices and explanations. The legislature intends the rules to provide for the form and content of written notices of hiring decisions, including whether the position was obtained as the result of application of the point preference by the public employer, written requests for explanations of hiring decisions, and written explanations of hiring decisions.

(5) Reopening of selection process. The legislature intends the rules to provide for a method of reopening the selection process for a job should a court order the selection process reopened and to include a method of giving notice to those who applied for the job, informing them of the reopening and the reason therefor.

(6) Appraisal methods. The legislature intends the rules to assist public employers in developing methods of appraising employee performance for the purpose of applying the retention preference.

And, as amended, do pass. Report adopted.

HB 300, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: "8"

Insert: "9"

2. Page 1, line 25.

Strike: "8"

Insert: "9"

3. Page 5, line 7.

Following: "amount"

Insert: "equal to the greater of:

(i) the employer contribution to the teachers' retirement system not used to amortize past service unfunded liability as that unfunded liability is limited by [section 9]; or

(ii) an amount"

4. Page 6, line 6.

Strike: "a"

Insert: "any"

5. Page 6.

Following: line 12

Insert: "NEW SECTION. Section 9. Actuarial evaluation to determine unfunded liability. (1) Beginning June 30, 1991, the biennial actuarial valuation of the teachers' retirement system must include a determination of the past service unfunded liability of active, inactive, and retired members of the Montana university system. The valuation must determine the effect on the amortization of the unfunded liability of the teachers' retirement system caused by persons electing to participate in the optional retirement program.

(2) If the valuation determines that the percentage contribution established in [section 6(2)(b)] has an adverse effect on the amortization of the unfunded liability, then the board of regents shall pay an additional sum over a period of 40 years to rectify the adverse effect.

(3) Changes in the teachers' retirement system occurring after July 1, 1987, that create additional unfunded liabilities may not be considered in the valuation, and the board of regents may not be required to pay any additional sum on that account except to the extent that those changes benefit members of the teachers' retirement system who are employees of the Montana university system.

(4) If the valuation determines that the board of regents is paying an amount in excess of that needed to amortize the unfunded liability, the teachers' retirement board shall credit the board of regents for the excess payments. The board of regents shall credit the active participants in the optional retirement program with the excess payments."

Renumber: subsequent sections

6. Page 12, line 5.

Strike: "8"

Insert: "9"

7. Page 13, line 1.

Strike: "8"

Insert: "9"

And, as amended, do pass. Report adopted.

HB 706, introduced bill, be amended as follows:

1. Page 3, line 25.

Following: “(2)”

Insert: “(a)”

2. Page 4.

Following: line 5

Insert: “(b) A copy of the notice required under subsection (2)(a) must be sent to the lieutenant governor who may publish the notice in an appropriate publication.”

And, as amended, do pass. Report adopted.

HJR 10, do pass. Report adopted.

HJR 27, do pass. Report adopted.

SB 285, be concurred in. Report adopted.

SPECIAL ORDERS OF THE DAY

The Speaker asked Representatives Mercer and Vincent to escort to the rostrum Representative Pat Williams. The Speaker introduced him and Congressman Williams gave the following address:

Mister President, members of the Senate, fellow Montanans, it's good to be back — if only for a few hours — in this great Capitol Building.

It's good, too, to see a few new faces and so many familiar faces. I notice that only one of you was here when I served in the Legislature exactly 20 years ago — Francis Bardanouve.

It's become a tradition of sorts for members of the Montana Congressional Delegation to come here, spend some time and exchange thoughts with each new Legislature.

This year, the occasion is particularly special.

In Washington, the nation is commemorating the historic and newly convened 100th Congress — two hundred years of law made by free people.

Here at home, we Montanans are marking our own special anniversary in self-government — the golden, 50th anniversary of this State Legislature.

That these two milestones coincide is altogether fitting. From virtually the very beginning, this great nation and this grand state have grown and grown up together.

The United States was brand new in 1809. It had only been sixteen years since the country ratified the Bill of Rights and a fellow named Manuel Lisa was felling trees at the juncture of the Yellowstone and Big Horn Rivers and building Montana's first fur trading post. America and Montana were open for business.

Two years later, John Colter was hiking through what would become Yellowstone National Park.

Two generations later, back East, as the terrible Civil War raged on, surely Abraham Lincoln had a moment of enjoyment — his mind pondering the wonders of the West — as he wrote his signature on the document declaring the Montana Territory. And out here, we were discovering gold in the hills of Butte.

A generation later in 1889, electric lights glowed for the first time in the White House, and the bright light of statehood glowed for Montana — the 41st state.

Fourteen years later, the Wright Brothers at Kitty Hawk, swinging wide the door of opportunity, soared for the first time — 59 seconds and 852 feet, while Montana leaders of the Blackfeet rode to Washington to meet with the nation's leaders and talk of fairness of opportunity for all.

In 1911, Teddy Roosevelt came to hunt the Flathead and see Glacier. Jeannette Rankin hunted votes in this state legislature for Women's Suffrage.

So it has been. Nation and state, we have shared together, worked together and fought together. In both of this century's World Wars, Montanans have fought in more numbers for our size than any other state. Together, we endured the economic deprivations of the Great Depression, then prospered through the halcyon days of the sixties and seventies.

Now, once again today, both nation and state are struggling with the same dilemma.

This state's government, for the first time in its 100 years, confronts a substantial debt, and our federal government, in the past six years, has amassed more debt than in all our previous 200 years combined.

In the Congress, we are struggling to contain and reduce that federal debt. As many of you may know, I sit on the Budget Committee of the House of Representatives. I appreciate your dilemma because I know firsthand that your task, like ours in Washington, can seem overwhelming.

However, unlike the U.S. Congress, you have only three real options for reducing spending — assistance for the poor and elderly, assistance for public schools, and funds for Montana's infrastructure of roads, bridges and buildings. Not one of the three offers an appealing option.

I urge the people of Montana to be patient with you as you work through the difficult choices of spending cuts and revenue increases. I believe Montanans understand that you face an uphill pull and I believe that you will act with the fairness and the boldness to earn their continued support.

Yes, this state and this nation are, once again, in it together.

Since 1981, we have seen the downward spiral in market values of raw materials and commodities ranging from copper to wheat to lumber. Thirty-four states, ours included, have experienced a less than 1.5 percent growth rate this decade. That's a growth recession in 34 states! Budgets for 21 states will be cut below last year's spending levels. Energy states, and of course we are one, face budget deficits as high as \$600 million.

Montanans have had our special share of trouble. Between 1979 and 1985 we lost 8000 jobs in our resource industries. Last year sixteen counties had average unemployment rates of more than 10 percent. The wholesale and retail trade, finance and manufacturing sectors of our economy have made modest gains, but mining, construction and utilities have lost ground.

Some Montanans suggest and many others wonder if our economic woes are due to an "anti-business attitude".

If our state's laws discourage economic development then I am confident that this legislature, bi-partisan in nature as it is, and this Governor, widely recognized and hailed for his aggressive economic development attitude will, working together, right the wrongs.

In this state, as in every state, the laws which pass are a direct reflection of the concerns and demands of your constituents. For at least two decades now, Montanans have insisted upon laws which provide worker safety,

assure collective bargaining, protect the environment, and tax according to ability to pay. Montanans of both parties have obviously believed that those basic assurances were not anti-business. Have Montanans now changed their minds?

Of course, you have no legislative magic wand with which to conjure up sudden prosperity for Montana's businesses. Good economic times are the result of a complex series of occurrences.

However, your past actions, in concert with other events have helped create some economic bright spots, some economic comebacks.

From Jardine to Nye, mining in Montana is finding its legs again. We're not back to the days of the Mountain Con, but the 40,000 tons of copper and molybdenum being mined in Butte, the talc from Three Forks, the gold in the Tunnels and the copper from Troy speak again of the Treasure state.

For half a year now timber prices have been slowly encouraging both increased harvests and profits.

As we all understand, or at least by now should understand, the simple grandeur of Montana is itself a significant economic benefit. Our mountains and valleys, our rivers and wildlife ring the cash registers of Montana's businesses many thousands of times each month.

Some wave that off as only "wolves and wilderness". Whatever it is, it resulted in at least 750 million dollars in direct spending last year.

Almost half a billion dollars was spent by non-residents. Those visitors who chose to be guided through Montana's wilderness areas spent more than 30 million dollars and helped create an additional 2,600 jobs in travel-related employment — and one thing certain, that's not welfare!

The continual public discussion, 8 years of it, about the Montana Wilderness Bill and whether or not the Montana Congressional Delegation will pass it has become our state's most boring topic. And the failure to present and pass a bill is the Delegation's glaring failure. I, of course, include myself in that failure.

We must settle the question of the appropriate uses of Montana's remaining roadless lands.

While I am home this week, I am drafting final language and determining boundaries, and I will soon be introducing my own legislation in the House of Representatives. We must move quickly to resolve the uses of our wild places and to provide the certainty that Montana industry needs.

Our loggers must know where they can cut, our oil riggers where they can drill, and our miners where they can dig. And all of us, whether hikers, skiers, hunters or anglers, deserve to know which lands we can enjoy unimpeded. I must say frankly that anyone who does not understand the necessity for the Montana Delegation to get the wilderness question behind us does not understand its linkage to Montana's economic future.

I believe, as you do, that our state and this nation have better economic days ahead. Of course, reaching those brighter times will require thoughtful economic policies by the public sector and innovation and entrepreneurial activity by our business folks.

Yes, again today both Montana and the nation are in it together; struggling with our mutual deficits which hamper both appropriate action by government and robust activity by business.

As you know, our federal government has struggled almost non-stop these past five years with a deficit which often has appeared to be almost out of control. During these difficult years I have been a member of the House Budget Committee. Perhaps you will not think it entirely inappropriate for me to conclude my remarks to you this afternoon with observations about two mistakes which the Congress made in our initially unsuccessful efforts to even start the federal deficit toward reduction.

Five years ago the administration and the Congress slashed taxes. We did it without a proper understanding of the revenue landscape — that is, which groups share what portion of the tax burden and how would they use tax relief. We rearranged our tax codes and provided the largest tax cut in American history. Our tax cuts backfired into raging deficits.

You, now, quite correctly, are closely examining Montana's revenues. You are carefully mapping the Montana tax landscape. You want to avoid making a legislative wrong turn and riding into a revenue box canyon. As a fellow Montanan, I, too, have been considering the lay of the land and what I see surprises me.

Following your last legislative session, Montana's total per capita taxes on individuals were the 48th lowest in the nation. Only Wyoming and Alaska's were lower.

Our state's individual income tax — our largest source of state revenue — is below the national average and ranks 23rd in the nation.

Our residential property tax, widely considered to be far too high, is ranked 33rd in the nation. Our residential property taxes are 43 percent lower than the national average.

Montana's income tax on corporations is 20th out of the 45 states that levy such a tax and, at 6.7 percent, is lower than the average rate of 7.5 percent.

Nationwide in 1985, American families earning \$7,000 paid an average of 7 percent of their income in state and local taxes. In Montana, the average was 3 percent. For families earning \$17,000, the national average tax was about 7 percent. In Montana it was about 5 percent. For high income individuals, Montana is the place to be. For those earning \$150,000 per year, Montana taxes them at a rate 27 percent less than they would pay in the average state.

Are Montana's taxes too low? We all want taxes as low as they can appropriately be. What is clear is that relative to other states our overall tax rates are not high. Are there certain segments of Montana businesses or individuals which are carrying too great a tax burden? Yes, yes one can find evidence of that — and I know that is just what you are seeking out.

If the Congress and the administration had preceded our 1981 tax changes with more thoroughness and if we had separated tax reality from myth, both the federal deficit and your deficit would be far more manageable than they are today.

Finally, let me share with you our second, belatedly recognized, mistake.

I know that you are examining education spending. The caution and careful thought you have applied to that effort deserves commendation.

I frankly wish the Congress had shown the same wisdom. Six years ago, we were told that deep cuts in education could be absorbed without lasting effect — that, in fact, the reductions were required to reduce the deficit.

The Congress listened and relented and made many of those cuts and like our tax cuts, they have backfired. It was a mistake that members of the House and Senate, Republicans and Democrats, now acknowledge.

We have all seen the importance of education. The recent economic miracles north of Boston and in California's Silicon Valley were possible because each made a decision to invest in higher education and the university research that creates the innovation so vital to entrepreneurs.

And we've seen the benefits here at home. Genetic advances from Montana's college labs have produced new wheat varieties that paid an estimated \$33 million in dividends to growers in eastern Montana. That's the value of yield not lost to stem rust this past harvest season.

Back in the 1970's university research produced a new variety of seed potato that has improved the profits of Montana's seed potato industry by several million dollars.

Coal-drying technology which will allow us to market more Montana coal is coming from our colleges.

Research on a new and stronger floor joist that uses lodgepole pine and flakeboard promises increased markets for our wood products.

With justified pride, we note that such research and more is the work of Montana students and universities.

As the new Chairman of the Congressional Committee on Post-Secondary Education, I urge your continued caution and concern as you consider possible cuts in Montana's university system. And I assure you that the Congress has learned the hard lesson and we will cut the schools no more.

Well, here we are: 50 sessions of the Montana Legislature — 200 years of the United States Congress. Nation and state sharing triumph as well as trouble. We have had many of both — every day. But today we are, together, working our way through our fiscal troubles.

As others before us have said in equally challenging times, "We do not shirk from our responsibilities, we welcome them."

Thank you very much.

Representatives Mercer and Vincent escorted Representative Williams from the chamber.

MOTIONS

Representative Hannah moved that the House stand in recess for party caucuses. Motion carried.

House recessed at 3:30 p.m.

House reconvened at 4:25 p.m.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Kitselman, Chairman):

2/16/87

Adverse Committee Reports

HB 500, do not pass. Chairman Kitselman moved to adopt the committee report. Representative Vincent made a substitute motion that consideration of HB 500 be passed until the 39th legislative day because of the absence of the sponsor, Representative Cody. Motion carried.

HUMAN SERVICES AND AGING (Gould, Chairman):

2/14/87

Adverse Committee Reports

HB 686, do not pass. Chairman Gould moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Compton, Connelly, Darko, DeMars, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 77

Noes: Bachini, Cobb, Cohen, Corne', Daily, Driscoll, Fritz, Harrington, Peck, Raney, Rapp-Svrcek, Spaeth, Vincent, Whalen.

Total 14

Excused: Cody, Eudaily.

Total 2

Absent or not voting: Asay, Kadas, Menahan, Peterson, Poulsen, Ream, Russell.

Total 7

HB 695, as amended, do not pass. Chairman Gould moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bardanouve, Brandewie, D. Brown, Bulger, Campbell, Compton, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Phillips, Poff, Ramirez, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 63

Noes: Bachini, Bradley, J. Brown, Cobb, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Keenan, Miles, Nisbet, Pavlovich, Pistoria, Quilici, Raney, Rapp-Svrcek, Schye, Squires, Stang, Strizich, Vincent, Whalen.

Total 29

Excused: Cody, Eudaily.

Total 2

Absent or not voting: Asay, Kadas, Menahan, Peterson, Poulsen, Russell.

Total 6

HB 711, do not pass. Chairman Gould moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke,

Mercer, Meyers, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Squires, Stratford, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Bradley, D. Brown, Cobb, Cohen, Connelly, Darko, Driscoll, Hoffman, Kadas, Keenan, Manuel, Miles, Nisbet, Pavlovich, Peck, Pistoria, Poff, Rapp-Svrcek, Russell, Spaeth, Stang, Strizich, Swift, Vincent, Whalen.

Total 25

Excused: Cody, Eudaily.

Total 2

Absent or not voting: Fritz, Menahan, Poulsen.

Total 3

HB 712, as amended, do not pass. Chairman Gould moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Brandewie, J. Brown, Bulger, Campbell, Compton, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Keller, Kitselman, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 57

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Jenkins, Kadas, Keenan, Kennerly, Manuel, Miles, Moore, Nisbet, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Strizich, Swysgood, Thoft, Vincent, Whalen.

Total 39

Excused: Cody, Eudaily.

Total 2

Absent or not voting: Cobb, Koehnke.

Total 2

HB 713, do not pass. Chairman Gould moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Brandewie, J. Brown, Bulger, Campbell, Compton, Daily, DeMars, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Lory, McCormick, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin, Williams, Mr. Speaker.

Total 64

Noes: Bachini, Bardanouve, Bradley, D. Brown, Cohen, Connelly, Corne', Darko, Driscoll, Fritz, Hansen, Kadas, Kennerly, Koehnke, Manuel, Menahan, Miles, Nisbet, Pavlovich, Peck, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Russell, Stang, Strizich, Thoft, Vincent, Whalen, Winslow.

Total 32

Excused: Cody, Eudaily.

Total 2

Absent or not voting: Cobb, Hoffman.

Total 2

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

February 17, 1987

Dear Speaker Marks:

Please be informed that I have signed House Bills No. 61, 91, 103, 108, 109, 181, 190, 215, 226, and 227 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

2/16/87

HB 114, introduced by Addy

HB 299, introduced by Bardanouve

HB 360, introduced by DeMars

MOTIONS

Representative Brandewie moved that Harp, Miles, Jones, C. Smith, Connelly, Harper, and Strizich be added as sponsors to HB 746. Motion carried.

Representative Quilici moved that consideration of HB 501 on second reading be passed for the day due to the absence of the sponsor, Representative Cody. Motion carried.

Representative Dailey moved that he be allowed to change his vote on HB 640 on third reading the previous day from yes to no. Motion carried.

Representative Bradley moved that the House reconsider its action in failing to pass HB 262 on second reading yesterday. After debate, Representative Ellison moved the previous question. Motion carried. The motion to reconsider failed. (44-53)

Representative Pavlovich moved that consideration of HB 313 on second reading be passed until the 41st day, as he is waiting for a similar measure to be acted on. Motion carried.

Representative Hanson moved that consideration of HB 252 on second reading be passed until the 49th legislative day. Motion carried.

Representative D. Brown moved that HB 380 be taken from second reading and rereferred to the Committee on Local Government. Motion carried.

Representative Phillips moved that the House reconsider its action in failing to pass HB 431 on second reading yesterday. Representative Daily

moved the previous question. The Speaker ruled the motion out of order, as both sides had not been heard. After opposition was heard, Representative Quilici moved the previous question. Motion carried. The motion to reconsider passed. (54-43)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 786, introduced by Sands, McCormick. Referred to Committee on Highways and Transportation.

HB 787, introduced by Addy, Regan. Referred to Committee on Appropriations.

HB 788, introduced by Menahan, Keenan, Haffey, Lynch. Referred to Committee on Human Services.

HB 789, introduced by Harper. Referred to Committee on Business and Labor.

HB 790, introduced by Rehberg, D. Brown, Galt, Meyer, Kolstad, Harper. Referred to Committee on Judiciary.

HB 791, introduced by Strizich, Nisbet, Whalen, Ramirez, Cody, Manning, Bachini, Schye, Menahan, Roth, Gage, Manuel, Miller, Brandewie, Squires, Miles, Giacometto, D. Brown, Darko, Driscoll, DeMars, Walker, Compton, Raney, Thomas, Poulsen, McCormick, Pistoria, Phillips. Referred to Committee on Taxation.

HB 792, introduced by Wallin. Referred to Committee on State Administration.

HB 793, introduced by Squires, Farrell. Referred to Committee on State Administration.

HB 794, introduced by M. Williams, Sands, (By Request of the House Committee on Taxation). Referred to Committee on Taxation.

HB 795, introduced by Gilbert, Ramirez, Iverson, Spaeth, Menke, Weeding, Kolstad, Abrams. Referred to Committee on Natural Resources.

HB 796, introduced by Driscoll, (By Request of the House Committee on Business and Labor). Referred to Committee on Business and Labor.

HB 797, introduced by Brandewie, Harp, Mercer. Referred to Committee on Education and Cultural Resources.

HB 798, introduced by Simon. Referred to Committee on State Administration.

HB 799, introduced by Lory, Meyer, (By Request of the State Auditor). Referred to Committee on Business and Labor.

HB 800, introduced by Rapp-Svrcek, Addy, Mercer, Hannah. Referred to Committee on Judiciary.

HB 801, introduced by Hansen, Keenan, Harper, J. Brown. Referred to Committee on Business and Labor.

HB 802, introduced by Rapp-Svrcek, Darko. Referred to Committee on Business and Labor.

HB 803, introduced by Campbell, Thayer, (By Request of the State Auditor). Referred to Committee on Business and Labor.

HB 804, introduced by Jenkins. Referred to Committee on Agriculture.

HB 805, introduced by Roth, Mercer, Spaeth, Ramirez, Rehberg. Referred to Committee on Judiciary.

HB 806, introduced by Pavlovich, (By Request of the Committee on Business and Labor). Referred to Committee on Business and Labor.

HB 807, introduced by Cohen. Referred to Committee on Taxation.

HB 808, introduced by Asay, Cobb, Patterson, Menke, Keating. Referred to Committee on Appropriations.

HB 809, introduced by Iverson, (By Request of the Environmental Quality Council). Referred to Committee on Local Government.

HJR 32, introduced by Vincent. Referred to Committee on Business and Labor.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Simon in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 118 - Representative Nathe moved that HB 118 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 92

Noes: Swysgood.

Total 1

Excused: Cody, Eudaily.

Total 2

Absent or not voting: Cobb, Sales, Squires, Winslow, Mr. Speaker.

Total 5

HB 123 - Representative Bradley moved that HB 123, second reading copy, be amended as follows:

1. Title, line 5.

Following: "JUDGE"

Insert: "OR QUALIFIED MEMBER OF THE STATE BAR"

2. Page 1, line 23.

Following: "be"

Insert: "a member of the bar of the state, agreed upon in writing by the parties litigant or their attorneys of record, approved by the court, and"

3. Page 2.

Following: line 12

Insert: "(1) a member of the bar of the state who meets the qualifications for judge of the district court as provided in 3-5-202;"

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cohen, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Fritz, Giacometto,

Hansen, Harper, Harrington, Hoffman, Holliday, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Manuel, Menahan, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Vincent, Wallin, Whalen, Williams.
Total 56

Noes: Asay, Brandewie, Bulger, Campbell, Cobb, Compton, Daily, Devlin, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Jenkins, Jones, Keller, Lory, McCormick, Menke, Mercer, Meyers, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Winslow, Mr. Speaker.
Total 41

Paired: Addy, Aye; Eudaily, No.

Excused: Cody.

Total 1

Absent or not voting: Sales, Smith.

Total 2

Representative Bradley moved that HB 123, as amended do pass.
Motion failed. (47-48)

Representative Mercer moved that HB 123, second reading copy, be further amended. Representative Mercer withdrew the amendment.

Representative Hannah moved that HB 123, as amended, do not pass.
Motion failed. (47-50)

Representative Hannah moved that the House reconsider its action on HB 123. Motion carried.

Representative Bradley moved that HB 123, as amended, do pass.
Motion failed. (48-49)

Representative Hannah moved that HB 123, as amended, do not pass.
After debate, Representative Mercer made a substitute motion that consideration of HB 123 be passed for the day. Motion carried.
(78-18)

HB 232 - Representative Thomas moved that HB 232 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanoue, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 95

Noes: Cobb, Nathe.

Total 2

Excused: Cody, Eudaily.

Total 2

Absent or not voting: Sales.

Total 1

HB 236 - Representative Addy moved that HB 236 be placed below HB 579 on the second reading board for amendment. Motion carried.

HB 256 - Representative Pistoria moved that HB 256 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Asay, Campbell, Ellison, Gilbert, Mercer, Peterson, Russell, Spaeth, Swysgood, Whalen.

Total 10

Excused: Cody, Eudaily.

Total 2

Absent or not voting: Giacometto, Menahan, Quilici, Sales.

Total 4

HB 303 - Representative D. Brown moved that HB 303 do pass. Motion failed. (43-53)

Representative Hannah moved that HB 303 do not pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, McCormick, Menahan, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peck, Peterson, Poulsen, Ramirez, Rehberg, Roth, Sands, Simon, Smith, Spaeth, Stang, Swift, Switzer, Swysgood, Thoft, Wallin, Winslow, Mr. Speaker.

Total 55

Noes: Addy, Bradley, D. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hanson, Harper, Harrington, Holliday, Keenan, Kennerly, Lory, Manuel, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stratford, Strizich, Thomas, Vincent, Whalen, Williams.

Total 42

Excused: Cody, Eudaily.

Total 2

Absent or not voting: Sales.

Total 1

HB 327 - Representative Bulger moved that HB 327, second reading copy, be amended as follows:

1. Page 2, lines 7 and 8.

Strike: "In" on line 7 through "if" on line 8

Insert: "If"

2. Page 2, line 16.

Strike: "(A)"

3. Page 2, lines 17 and 18.

Strike: "the" on line 17 through "THAT" on line 18

4. Page 2, line 19.

Following: "autopsy"

Insert: "shall"

Following: "PERFORMED"

Insert: "by a medical examiner"

5. Page 2, line 20.

Following: "PARENTS"

Insert: "or guardians"

6. Page 2, line 22.

Following: "syndrome."

Insert: "The parents or guardian of the child shall receive a preliminary report of the autopsy within 5 days of the infant's death."

7. Page 2, line 23 through line 9, page 3.

Strike: subsection (b) in its entirety

8. Page 3, line 20.

Following: "general"

Insert: "and for autopsies related to alleged sudden infant death syndrome"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cohen, Connolly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Fritz, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 79

Noes: J. Brown, Compton, Devlin, Ellison, Giacometto, Gilbert, Hannah, Hayne, Hoffman, Iverson, Jenkins, Keller, Kitselman, Peterson, Ramirez, Swysgood, Mr. Speaker.

Total 17

Excused: Cody, Eudaily.

Total 2

Absent or not voting: Nathe, Sales.

Total 2

Representatives Nathe and Peck excused at this time.

Representative Bulger moved that HB 327, as amended, do pass.
Motion failed. (47-47)

Representative Hannah moved that HB 327, as amended, do not pass.
Motion failed. (46-50)

Representative Hannah moved that the House reconsider its action on HB 327. Motion carried.

Representative Bulger moved that HB 327, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, D. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams, Winslow.
Total 50

Noes: Asay, Bachini, Brandewie, J. Brown, Campbell, Compton, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Menke, Mercer, Meyers, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.
Total 46

Paired: Cody, Aye; Kitselman, No.

Excused: Eudaily, Nathe, Peck.
Total 3

Absent or not voting: Sales.
Total 1

HB 343 - Representative Donaldson moved that HB 343 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 88

Noes: Hoffman, Simon, Swift.
Total 3

Excused: Cody, Eudaily, Nathe, Peck.
Total 4

Absent or not voting: Hansen, Kadas, Rehberg, Sales, Williams.
Total 5

HB 365 - Representative Donaldson moved that consideration of HB 365 be passed for the day because of the absence of the sponsor, Representative Peck. Motion carried.

HB 450 - Representative Pistoria moved that HB 450 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Fritz, Spaeth.

Total 2

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Bulger, Ellison, Harrington, Phillips, Sales.

Total 5

HB 531 - Representative Ellison moved that HB 531 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Corne', DeMars, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Smith, Spaeth, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 72

Noes: Bachini, Cohen, Connelly, Darko, Driscoll, Fritz, Harrington, Hoffman, Kadas, McCormick, Meyers, Nisbet, O'Connell, Russell, Schye, Squires, Stang, Stratford, Strizich, Swift, Whalen.

Total 21

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Daily, Ream, Sales.

Total 3

HB 579 - Representative Cobb moved that HB 579 do pass. Representative Ramirez made a substitute motion that HB 579, second reading copy, be amended. Amendment failed. (35-53)

HB 579 passed as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Glaser, Grady, Grinde, Hannah, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips,

Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 81

Noes: Asay, Bachini, Devlin, Gilbert, Hansen, Hanson, Jenkins, Ramirez, Roth, Stratford, Switzer, Mr. Speaker.

Total 12

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: D. Brown, Gould, Sales.

Total 3

HB 236 - Representative Addy moved that HB 236 do pass. Representative Addy made a substitute motion that HB 236, second reading copy, be amended as follows:

1. Page 1, line 18.

Following: "court"

Insert: " , but in no event shall they meet sooner than 15 days prior to the date of said proposed resignation"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Sales.

Total 1

HB 236, as amended, passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich,

Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Keller, Sales, Williams.

Total 3

HB 585 - Representative Bradley moved that HB 585 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Campbell, Glaser, Phillips, Simon.

Total 4

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: D. Brown, Hayne, Menke, Sales, Smith.

Total 5

HB 629 - Representative Ream moved that HB 629 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 87

Noes: Campbell, Grinde, Stang, Switzer, Swysgood.

Total 5

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Asay, D. Brown, Sales, Williams.

Total 4

HB 639 - Representative Corne' moved that HB 639 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Giacometto, Poff.

Total 2

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: D. Brown, J. Brown, Kennerly, Sales.

Total 4

HB 646 - Representative Stang moved that HB 646 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 92

Noes: None.

Total 0

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: D. Brown, Kadas, Kennerly, Sales.

Total 4

HB 648 - Representative Holliday moved that HB 648 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift,

Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 75

Noes: Addy, Bardanouve, Cobb, Cohen, Gilbert, Hannah, Hansen, Harper, Kitselman, Nelson, Peterson, Ramirez, Sands, Simon, Winslow.

Total 15

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: D. Brown, Ellison, Hoffman, Kadas, Nisbet, Sales.

Total 6

HB 651 - Representative Jenkins moved that HB 651 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: D. Brown, Nisbet, Sales.

Total 3

HB 669 - Representative Harp moved that HB 669 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 93

Noes: None.

Total 0

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: D. Brown, Sales, Mr. Speaker.

Total 3

HJR 8 - Representative Fritz moved that HJR 8, second reading copy, be amended as follows:

1. Page 3, line 21.

Strike: "INPUT INTO"

Insert: "participation in"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Kadas.

Total 1

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: D. Brown, Hayne, Sales, Smith.

Total 4

Representative Fritz moved that HJR 8, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Glaser, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Giacometto, Gilbert, Hannah, Hoffman, Holliday, Menke, Meyers, Miller, Peterson, Swift, Switzer.

Total 11

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: D. Brown, Grady, Sales.

Total 3

HJR 18 - Representative Connelly moved that HJR 18 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Fritz, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Campbell, Devlin, Giacometto, Glaser, Hanson, Hoffman, Roth, Spaeth, Switzer, Swysgood, Thoft.

Total 11

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Harper, Sales.

Total 2

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker, Pro-Tem, in the Chair. Chairman Simon moved the adoption of the committee report. Report adopted. (91-1)

MOTIONS

Representative Gilbert moved that he be allowed to change his vote on HB 669 on second reading this day from no to yes. Motion carried.

Representative Jenkins moved that Manuel and Kolstad be added as sponsors to HB 738. Motion carried.

Representative Roth moved that he be allowed to change his vote on HB 651 on second reading this day from no to yes. Motion carried.

Representative Whalen moved that HJR 31 be taken from the Committee on Business and Labor and rereferred to the Committee on State Administration. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 39 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Vincent, Williams, Winslow, Mr. Speaker.

Total 77

Noes: Cohen, Driscoll, Gilbert, Hannah, Harrington, Hoffman, Koehnke, Menahan, Mercer, Meyers, Nathe, Pavlovich, Ramirez, Rehberg, Roth, Sales, Spaeth, Swift, Switzer, Thomas, Wallin, Whalen.

Total 22

Paired: Donaldson, Eudaily, Peck, Ayes; Hannah, Nathe, Sales, Noes.

Excused: Cody.

Total 1

Absent or not voting: None.

Total 0

HB 47 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Campbell, Cobb, Cody, Hannah, Hansen, Meyers, Ramirez, Switzer.

Total 8

Paired: Harrington, Aye; Cody, No.

Excused: Eudaily, Nathe, Peck.

Total 3

Absent or not voting: Sales.

Total 1

HB 56 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Cody, Hansen, Harp, Sands, Simon.

Total 5

Paired: Asay, Aye; Cody, No.

Excused: Eudaily, Nathe, Peck.

Total 3

Absent or not voting: Sales.

Total 1

HB 438 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Iverson.

Total 1

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Campbell, Sales.

Total 2

HB 442 passed as follows:

Ayes: Asay, Bachini, Brandewie, J. Brown, Bulger, Campbell, Cobb, Compton, Daily, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 65

Noes: Addy, Bardanouve, Bradley, D. Brown, Cohen, Connelly, Corne', Darko, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Strizich, Vincent, Whalen, Williams.

Total 33

Paired: Eudaily, Nathe, Ayes; Harrington, Rapp-Svrcek, Noes.

Excused: Cody, Peck.

Total 2

Absent or not voting: None.

Total 0

HB 465 passed as follows:

Ayes: Addy, Asay, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Connelly, Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Giacometto, Gould, Grady, Hanson, Harp, Harrington, Hoffman, Holliday, Jenkins, Jones, Kadas, Keller, Lory, McCormick, Manuel, Menke, Mercer, Miller, Moore, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Rapp-Svrcek, Ream, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Williams, Winslow, Mr. Speaker.

Total 58

Noes: Bachini, Bardanouve, Bradley, Cody, Cohen, Compton, Corne', Darko, Fritz, Gilbert, Glaser, Grinde, Hannah, Hansen, Harper, Hayne, Keenan, Kennerly, Kitselman, Koehnke, Menahan, Meyers, Miles, Nelson, Nisbet, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Schye, Swysgood, Thoft, Vincent, Wallin, Whalen.

Total 37

Paired: Cobb, Aye; Cody, No.

Excused: Eudaily, Nathe, Peck.

Total 3

Absent or not voting: Iverson, Sales.

Total 2

HB 506 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Asay, Campbell, Cobb, Fritz, Giacometto, Holliday, Lory, Meyers, Peterson.

Total 9

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Sales.

Total 1

HB 513 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Giacometto.

Total 1

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Sales.

Total 1

HB 561 passed as follows:

Ayes: Bradley, Brandewie, J. Brown, Bulger, Cobb, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Harp, Harrington, Hayne, Hoffman, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, Manuel, Menahan, Menke, Miles, Miller, Moore, Nelson, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Simon, Smith, Spaeth, Stang, Swift, Switzer, Swysgood, Thoft, Vincent, Williams, Winslow, Mr. Speaker.

Total 66

Noes: Addy, Asay, Bachini, Bardanouve, D. Brown, Campbell, Cohen, Darko, Grady, Hanson, Harper, Holliday, Jenkins, Koehnke, McCormick, Mercer, Meyers, Nisbet, O'Connell, Pistoria, Raney, Russell, Schye, Squires, Stratford, Strizich, Thomas, Wallin, Whalen.

Total 29

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Sales.

Total 1

HB 591 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Grinde, Meyers.

Total 2

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Manuel, Sales.

Total 2

HB 620 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford,

Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Daily, Driscoll, Fritz, Harrington, Kennerly, Pavlovich, Quilici, Raney.

Total 8

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Manuel, Sales.

Total 2

HB 625 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Driscoll, Whalen.

Total 2

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Sales.

Total 1

HJR 14 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Driscoll.

Total 1

Excused: Cody, Eudaily, Nathe, Peck.

Total 4

Absent or not voting: Sales.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:00 p.m., February 18, 1987.

Motion carried.

House adjourned at 7:39 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

THIRTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 18, 1987

House Chambers
State Capitol

House convened at 3:15 p.m., Mr. Speaker in the Chair. Invocation by Representative Miles. Pledge of Allegiance to the Flag.

Roll call. All members present except Eudaily, Rapp-Svrcek, Ream, and the Education Committee, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-seventh legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/18/87

Correctly printed: HB 38, HB 300, HB 322, HB 340, HB 449, HB 503, HB 511, HB 558, HB 580, HB 603, HB 605, HB 675, HB 699, HB 706, HB 749, HB 780, HB 788, HJR 10, HJR 27, HJR 28.

Correctly engrossed: HB 118, HB 232, HB 236, HB 256, HB 327, HB 343, HB 450, HB 531, HB 579, HB 585, HB 629, HB 639, HB 646, HB 648, HB 651, HB 669, HJR 8, HJR 18.

Correctly enrolled: HB 87, HB 99, HB 114, HB 136, HB 159, HB 224, HB 225, HB 244, HB 251, HB 265, HB 299, HB 312, HB 360.

Examined by the sponsor and found to be correct:

HB 87 - Devlin

HB 225 - Spaeth

HB 99 - Sales

HB 244 - Peterson

HB 114 - Addy

HB 251 - Cobb

HB 136 - Driscoll

HB 265 - Phillips

HB 158 - Nathe

HB 299 - Bardanouve

HB 159 - Brandewie

HB 312 - Hansen

HB 224 - Spaeth

HB 360 - DeMars

Signed by the Speaker at 8:50 a.m.: HB 98, HB 172, HB 177, HB 194, HB 218, HB 331.

Signed by the Speaker at 9:55 a.m.: HB 136.

Signed by the Speaker at 4:00 p.m.: HB 87, HB 114, HB 158, HB 224, HB 225, HB 244.

Delivered to the Governor for his approval at 1:36 p.m.: HB 98, HB 136, HB 172, HB 177, HB 194, HB 218, HB 331.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman):

2/18/87

HB 738, do pass. Report adopted.

APPROPRIATIONS (Donaldson, Chairman):

2/18/87

HB 189, do pass. Report adopted.

HB 277, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "AND"

Strike: "APPROPRIATION"

Insert: "ALLOCATION PROCEDURE FOR THE APPROPRIATION TO THIS PROGRAM; AND PROVIDING AN EFFECTIVE DATE."

2. Page 3, lines 7 through 9.

Strike: "a drinking" through "treasury" on line 9

Insert: "the general fund"

3. Page 3, line 10.

Strike: "(3)"

Insert: "Section 3. Funding allocation for programs to prevent or reduce drinking and driving. (1)"

Renumber: subsequent sections

4. Page 3, lines 13 through 15.

Strike: "proceeds" through "and the" on line 15

Insert: "proportion of the proceeds of the license reinstatement fees collected in that county to the total collected for the state to the county treasurer by September 30 of each fiscal year for which there is an appropriation. The"

5. Page 3, line 16.

Strike: "license reinstatement fee"

Insert: "money"

6. Page 3, line 18.

Strike: "(4)"

Insert: "(2)"

7. Page 4, lines 10 through 12.

Strike: "PROCEEDS" through "AND THE" on line 12

Insert: "proportion of the proceeds of the license reinstatement fees collected in that county to the total collected for the state to the county treasurer by September 30 of each fiscal year for which there is an appropriation. The"

8. Page 4, lines 12 and 13.

Strike: "LICENSE REINSTATEMENT" on line 12 through "FEE" on line 13

Insert: "money"

9. Page 4, lines 16 through 20.

Strike: section 4 in its entirety

Renumber: subsequent section

10. Page 4, line 21.

Strike: "and 2"

Insert: "through 3"

11. Page 4, line 24.

Strike: "and 2"

Insert: "through 3"

12. Page 4.

Following: line 24

Insert: "Section 5. Effective date. This act is effective July 1, 1987."

Committee attached the following statement of intent:

Statement of Intent
HB 277

It is the intent of the legislature that the license reinstatement fee collected be deposited in the general fund.

It is the intent of the legislature that the records be kept to identify the amount of money collected by the county each year.

It is further the intent of the legislature that the 1989 legislature consider making a general fund appropriation for this program in fiscal 1990 and

1991 which is equal to the revenue collected in fiscal 1988 and 1989, respectively.

And, as amended, do pass. Report adopted.

HB 309, do pass. Report adopted.

HB 372, do pass. Report adopted.

HB 600, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman):

2/18/87

HB 466, do pass. Report adopted.

HB 570, introduced bill, be amended as follows:

1. Title, line 6.

Following: "LICENSEE"

Insert: "FROM A PORTABLE DEVICE AS WELL AS AT THE GOLF COURSE CLUBHOUSE"

2. Page 1, line 19.

Following: "beverages"

Strike: "and it"

Insert: ":

(a) in the building or other structural premises constituting the clubhouse or primary indoor recreational quarters of the golf course; and

(b) at any place within the boundaries of the golf course, from a portable satellite vehicle or other movable satellite device that is moved from place to place, whether inside or outside of a building or other structure.

(3) "It"

3. Page 1, lines 19 and 20.

Following: "consume" on line 19

Strike: "the purchased"

4. Page 1, line 20.

Following: "beverages"

Insert: "sold as provided in subsection (2)"

And, as amended, do pass. Report adopted.

HB 654, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "ALL-BEVERAGES"

Insert: "BEER AND TABLE WINE"

2. Page 1, line 9.

Strike: "all-beverages"

Insert: "beer and table wine"

3. Page 1, line 12.

Strike: "all-beverages"

Insert: "beer and table wine"

Following: "beer"

Strike: ","

Insert: "and"

Following: "wine"

Strike: remainder of line 12 and "liquor" on line 13

4. Page 1, line 17.

Following: "beer"

Strike: ","

Insert: "and"

5. Page 1, line 18.

Following: "wine,"

Strike: "and liquor,"

6. Page 2, line 1.

Following: "the"

Insert: "principal"

7. Page 2, lines 2 and 3.

Following: "performances" on line 2

Strike: remainder of line 2 and line 3 through "programs"

8. Page 2, line 4.

Following: "public."

Insert: "Assets of the corporation must be irrevocably dedicated to the activities for which the license is granted and, on the liquidation, dissolution, or abandonment by the corporation, may not inure directly or indirectly to the benefit of a member or individual except a nonprofit organization, association, or corporation."

9. Page 2, lines 5 and 6.

Following: "performance" on line 5

Strike: remainder of line 5 and line 6 through "program"

10. Page 2, line 9.

Following: "museums,"

Insert: "and"

11. Page 2, lines 11 through 14.

Following: "performances" on line 11

Strike: remainder of line 11, lines 12 and 13 in their entirety, and line 14 through "subject"

12. Page 2.

Following: line 14

Insert: "(5) A license issued under this section is not subject to the provisions of 16-4-201."

13. Page 6, line 7.

Following: "special"

Strike: "all-beverages"

Insert: "beer and table wine"

And, as amended, do pass. Report adopted.

HB 765, do pass. Report adopted.

HB 769, introduced bill, be amended as follows:

1. Page 3, line 24.

Strike: "not only"

2. Page 3, line 25.

Strike: "unless"

Insert: "only after"

3. Page 5, lines 16 and 17.

Following: "may" on line 16

Strike: "not only"

4. Page 5, line 18.

Strike: "unless"

Insert: "only after"

5. Page 7, line 12.

Strike: "not only"

6. Page 7, line 14.

Strike: "unless"

Insert: "only after"

And, as amended, do pass. Report adopted.

HB 771, do pass. Report adopted.

HB 772, introduced bill, be amended as follows:

1. Page 1, line 14.

Following: "heavy/highway"

Strike: "wate"

Insert: "wage"

2. Page 3, line 3.

Following: "means wage rates"

Insert: ", including fringe benefits for health and welfare and pension contributions and travel allowance provisions,"

Adverse Committee Reports

2/16/87

HB 500, do not pass. Chairman Kitselman moved to adopt the committee report. Representative Cody made a substitute motion that the adverse committee report be rejected, and HB 500 be printed and placed on second reading. Motion failed. (33-48)

The adverse committee report was adopted as follows:

Ayes: Asay, J. Brown, Campbell, Cohen, Compton, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nisbet, Patterson, Pavlovich, Ramirez, Rehberg, Roth, Russell, Sales, Simon, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 49

Noes: Addy, Bachini, Bradley, Brandewie, D. Brown, Bulger, Cobb, Cody, Connelly, Corne', Darko, DeMars, Hansen, Harper, Harrington, Kadas, Koehnke, Manuel, Moore, O'Connell, Peck, Peterson, Pistoria, Poff, Raney, Spaeth, Squires, Strizich, Vincent, Whalen.

Total 30

Excused: Daily, Eudaily, Keenan, Kennerly, Lory, Nathe, Nelson, Phillips, Rapp-Svrcek, Ream, Sands, Stang, Stratford, Swysgood, Williams.

Total 15

Absent or not voting: Bardanouve, Poulsen, Quilici, Schye, Smith, Mr. Speaker.

Total 6

FISH AND GAME (Ellison, Chairman):

2/18/87

HB 530, do pass. Report adopted.

Adverse Committee Reports

HB 104, do not pass.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

2/17/87

HB 376, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Strike: "ALL PAVED ROADS CONNECTING COUNTY SEATS"

Insert: "FEDERAL-AID SECONDARY ROUTE 223 CONNECTING CHESTER AND FORT BENTON"

2. Page 1, lines 15 and 16.

Following: "(2)" on line 15

Strike: remainder of subsection (2) in its entirety

Insert: "federal-aid secondary route 223 from a point on U.S. highway 87 at Fort Benton north to a point on U.S. highway 2 at Chester."

And, as amended, do pass. Report adopted.

HB 385, introduced bill, be amended as follows:

1. Title, line 6.

Following: "MAIL;"

Insert: "REQUIRING THE DEPARTMENT TO GIVE NOTICE BY MAIL TO A LIGHT VEHICLE OWNER OF THE NEED TO REREGISTER HIS VEHICLE;"

2. Page 1, line 10.

Following: "mail"

Insert: "— reregistration notice by mail"

3. Page 1.

Following: line 24

Insert: "(3) The procedure implemented by the department to permit reregistration by mail shall provide for a written requirement to reregister his vehicle with the county treasurer."

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 607, introduced bill, be amended as follows:

1. Page 1, lines 13 and 14.

Following: "of" on line 13

Strike: "House Bill No. 84, if House Bill No. 84 is"

Insert: "a bill"

2. Page 1, lines 14 and 15.

Following: "legislature"

Strike: ", including"

Insert: "that includes"

3. Page 1, line 18.

Following: "if"

Strike: "House Bill No. 84"

Insert: "a bill as referred to in subsection (1)"

And, as amended, do pass. Report adopted.

HB 650, introduced bill, be amended as follows:

1. Title, line 6.

Following: "TOWN;"

Insert: "PROVIDING AN EXEMPTION FOR AGRICULTURAL USE;"

2. Page 1, line 18.

Following: "town."

Insert: "This prohibition does not apply to a person operating a motorbike for an agricultural purpose."

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman):

2/17/87

HB 675, do pass. Report adopted.

HB 749, do pass. Report adopted.

HB 752, do pass. Report adopted.

HB 780, do pass. Report adopted.

HB 788, do pass. Report adopted.

JUDICIARY (Lory, Chairman):

2/18/87

HB 393, introduced bill, be amended as follows:

1. Page 1, lines 23 through 25 and page 4, lines 11 through 13.

Strike: "and the" on line 23 of page 1 and line 11 of page 4 through
"unsuccessful" on line 25 of page 1 and line 13 of page 4

2. Page 2, line 3 and page 4, line 16.

Strike: "cooperate"

Insert: "comply with a lawful subpoena issued"

3. Page 2, line 6 and page 4, line 19.

Strike: "court;"

Insert: "or"

4. Page 2, line 8 and page 4, line 21.

Following: "49-2-505" on page 2, line 8 and "49-3-308" on page 4, line
21

Strike: ","

Insert: ", unless the commission fails to schedule a hearing to be held
within 90 days of service of notice of hearing."

5. Page 2, lines 9 through 13 and page 4, line 22 through line 1, page
5.

Strike: subsections (d) and (e) in their entirety

And, as amended, do pass. Report adopted.

HB 430, do pass. Report adopted.

HB 470, introduced bill, be amended as follows:

1. Page 13, line 3.

Following: "effectively"

Insert: "immediately and effectively"

2. Page 13, lines 5 and 6.

Strike: "right against" on line 5 through "counsel" on line 6

Insert: "constitutional rights and his rights under this chapter"

3. Page 13, line 9.

Strike: "16"

Insert: "under the age of 12"

Strike: "of"

4. Page 13, line 10.

Strike: "age or older"

Following: "parents of"

Insert: "the parents of"

5. Page 13, line 12.

Strike: "under"

Insert: "over"

Strike: "16"

Insert: "12"

6. Page 13, line 13.

Strike: "a parent or guardian"

Insert: "his parents"

7. Page 13, line 14.

Strike: "or"

Insert: "and"

8. Page 13, line 15.

Strike: "under"

Insert: "over"

Strike: "16"

Insert: "12"

9. Page 13, line 16.

Strike: "parent or guardian"

Insert: "parents"

10. Page 26, line 12.

Following: "records,"

Insert: ", except traffic records,"

And, as amended, do pass. Report adopted.

HB 472, introduced bill, be amended as follows:

2/17/87

1. Title, line 11.

Following: "SEPARATION;"

Insert: "PROVIDING A FUNDING MECHANISM FOR THE MEDIATOR PROGRAM;"

2. Title, line 12.

Strike: "SECTION"

Insert: "SECTIONS 17-7-502 AND"

3. Page 2, line 15.

Strike: "5"

Insert: "6"

Strike: "8"

Insert: "9"

Following: line 15

Insert: "NEW SECTION. Section 3. Mediation fee — disposition of fee. (1) Each party undergoing mediation of a marriage dissolution or legal separation before a court commissioner must pay a \$50 mediation fee to the clerk of the district court."

(2) There is an account in the state special revenue fund. Fees paid to a clerk of the district court under subsection (1) must be deposited in the account. the money in the account is statutorily appropriated, as provided in 17-7-502, to the supreme court to be used to operate the office of court commissioner created in [section 4], including the salaries of the court commissioners and their assistants and all other operational expenses and costs of the court commissioners and the commissioners' marriage dissolution and legal separation mediation program."

Renumber: subsequent sections (3) through (10) as (4) through (11)

4. Page 8, line 5.

Strike: "7"

Insert: "8"

5. Page 9.

Following: line 16

Insert: "NEW SECTION. Section 12. Addition to mandatory list of code sections containing statutory appropriations. Section 17-7-502 is amended to add the section number of [section 3] to the list of sections contained in 17-7-502(3). The code commissioner shall codify the amendment made by this section."

Renumber: subsequent section

6. Page 9, lines 18 and 20.

Strike: "and 2" on lines 18 and 20

Insert: "through 3"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

2/18/87

HB 371, do not pass.

LOCAL GOVERNMENT (Wallin, Chairman):

2/18/87

HB 492, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "AND"

2. Title, line 10.

Following: "MCA"

Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

3. Page 1, line 16.

Strike: "\$5"

Insert: "\$4"

4. Page 1, line 20.

Strike: "Four"

Insert: "Three"

5. Page 2, line 13.

Strike: "\$5"

Insert: "\$3"

6. Page 5, line 24.

Strike: "\$5"

Insert: "\$4"

7. Page 6, line 1.

Strike: "\$5"

Insert: "\$4"

8. Page 6, line 6.

Strike: "\$5"

Insert: "\$4"

9. Page 8, line 5.

Strike: "\$5"

Insert: "\$4"

10. Page 8.

Following: line 19

Insert: "NEW SECTION. Section 5. Effective date. This act is effective January 1, 1988."

And, as amended, do pass. Report adopted.

HB 692, do pass. Report adopted.

2/16/87

HB 734, introduced bill, be amended as follows:

2/18/87

1. Page 2, line 20.

Strike: “.”

2. Page 2, line 21.

Strike: “(a)”

3. Page 2, line 23.

Strike: “,”

4. Page 3, lines 2 and 3.

Strike: “and” on line 2 through “investments” on line 3

And, as amended, do pass. Report adopted.

HB 744, introduced bill, be amended as follows:

2/18/87

1. Title, lines 4 through 8.

Following: “MONEY”

Strike: remainder of line 4 through “REORGANIZATION” on line 6

Insert: “FOR A COUNTY BOUNDARY COMMISSION”

Following: “AUTHORIZING” on line 6

Strike: “AN INTERIM SUBCOMMITTEE”

Insert: “THE COMMISSION”

Following: “PLAN FOR” on line 7

Strike: “REDUCING THE NUMBER OF COUNTIES TO 30 OR FEWER”

Insert: “CONSOLIDATING AND REORGANIZING COUNTIES”

2. Title, line 9.

Strike: “AND”

3. Title, lines 10 and 11.

Following: “OF THE”

Strike: “SUBCOMMITTEE’S RECOMMENDATIONS”

Insert: “COMMISSION’S PLAN; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE”

4. Page 2, line 4.

Following: “that a”

Strike: “study of”

Insert: “plan for”

5. Page 2, line 10.

Following: “Section 1.”

Strike: “Subcommittee to study”

Insert: “County boundary commission to prepare a plan for”

6. Page 2, lines 11 through 13.

Following: “(1)”

Strike: remainder of line 11 through line 13 in its entirety

Insert: “A commission of nine citizens of the state, none of whom may be public officials, shall be appointed by the 1987 legislature to prepare a plan for consolidating and reorganizing existing counties. The majority and minority leaders of each house shall each designate two commissioners. Within 20 days after their appointment, the eight commissioners shall select the ninth member, who shall serve as chairman of the commission. If the eight members fail to select the ninth member within the time prescribed, a majority of the supreme court shall select him.

(2) The commission shall prepare a plan”

7. Page 2, line 15.

Following: “counties to”

Strike: "30"

Insert: "45"

8. Page 2, line 16.

Following: "3."

Insert: "The plan shall provide a schedule for an orderly transition from the existing to the proposed counties."

9. Page 2, line 17.

Strike: "(2) The subcommittee"

Insert: "(3) The commission"

Following: "its"

Strike: "recommendations"

Insert: "plan"

10. Page 2, line 20.

Following: "for"

Strike: "interim study of"

11. Page 2, line 21.

Following: "reorganization"

Insert: "plan"

12. Page 2, line 22.

Strike: "\$7,500"

Insert: "\$30,000"

13. Page 2, line 24.

Following: "reorganization"

Strike: "study"

Insert: "plan"

14. Page 3, line 1.

Following: "expenses of"

Strike: "interim subcommittee"

Insert: "commission"

15. Page 3, line 6.

Following: "preparing its"

Strike: "recommendations"

Insert: "plan"

16. Page 3, line 7.

Following: "the"

Strike: "subcommittee"

Insert: "county boundary commission"

17. Page 3, line 18.

Strike: "and"

18. Page 3, line 20.

Following: "resources"

Strike: "."

Insert: "; and"

19. Page 3.

Following: line 20

Insert: "(i) taxable valuation."

20. Page 3, line 22.

Following: "the"

Strike: "subcommittee"

Insert: "commission"

21. Page 4, line 12.

Strike: "subcommittee"

Insert: "county boundary commission"

22. Page 4, line 14.

Following: "Effect of"

Strike: "study"

Insert: "plan"

23. Page 4, lines 18 through 21.

Following: "1988,"

Insert: "the county boundary commission shall submit its plan for county consolidation and reorganization to"

Following: "legislature"

Strike: remainder of line 18 through "reorganization" on line 21

Insert: "The legislature shall return the plan with its recommendations within 30 days of submission. Within 30 days thereafter, the commission shall file its final plan for county consolidation and reorganization with the secretary of state, and it shall become law."

24. Page 4, line 25.

Following: "the"

Strike: "subcommittee's"

Insert: "commission's"

25. Page 5.

Following: line 8

Insert: "Section 6. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 745, introduced bill, be amended as follows:

1. Title, line 6.

Following: "PROVIDE"

Strike: "FOR"

Insert: "THAT"

2. Title, line 7.

Following: "COMMISSION"

Strike: "EVERY TWENTIETH YEAR TO"

Insert: "SHALL"

3. Page 1, line 20 through line 5, page 2.

Following: "(2)"

Strike: remainder of subsection (2) in its entirety

Insert: "A county boundary commission appointed by the legislature shall prepare a plan for consolidating and reorganizing existing counties."

And, as amended, do pass. Report adopted.

HB 783, do pass. Report adopted.

2/16/87

NATURAL RESOURCES (Jones, Chairman):

2/18/87

HB 718, do pass. Report adopted.

HJR 30, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

2/18/87

HB 539, introduced bill, be amended as follows:

1. Title, lines 7 through 11.

Following: “,” on line 7

Strike: remainder of line 7 through line 11 in its entirety

Insert: “AND”

2. Page 1, lines 12 and 13.

Following: “MCA” on line 12

Strike: remainder of lines 12 through “MCA” on line 13

3. Page 4.

Strike: lines 8 through 17 in their entirety

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 547, statement of intent attached, do not pass.

HB 572, do not pass.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

2/17/87

HB 280, introduced by Hanson

HB 311, introduced by Kadas

House bill concurred in, as amended, with Statement of Intent added and returned to the House for concurrence in Senate amendments and the Statement of Intent:

2/17/87

HB 68, introduced by Kitselman

MOTIONS

Representative Whalen moved that the rules be suspended to allow him two bills over his quota. HB 757 and HB 758 have already been introduced and scheduled for hearings when it was brought to his attention that he had exceeded his five bill limit. Motion carried.

Representative Spaeth moved that consideration of HB 397 and HB 661 on second reading be passed until the fortieth legislative day because he had four bills on the board and was scheduled to be chairman for the day. Motion carried.

Representative Vincent moved that consideration of HB 598 on second reading be passed for the day due to the absence of the sponsor, Representative Rapp-Svrcek. Motion carried.

Representative Winslow excused at this time.

Committee on Education present at this time.

Representative Harrington moved that HB 623 be taken from the table in the Committee on Business and Labor and printed and placed on second reading. Motion failed. (48-51)

Representative Nisbet moved that HB 24 be taken from the table in the Committee on Human Services and printed and placed on second reading. Motion failed. (42-53)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 810**, introduced by Harrington, Keenan, Walker, Driscoll, Ream, Cohen, Hansen, McCormick, O'Connell. Referred to Committee on Business and Labor.
- HB 811**, introduced by Stang, Darko, Nisbet, Strizich. Referred to Committee on Taxation.
- HB 812**, introduced by Rapp-Svrcek, Darko, Cohen, Harper, Ream. Referred to Committee on Natural Resources.
- HB 813**, introduced by Cohen, Grady, Harper, Ellison. Referred to Committee on Local Government.
- HB 814**, introduced by Donaldson, Giacometto, Keller, Koehnke, Devlin, Hayne, Peterson, Menahan, Switzer, Vincent, Grady, Manuel, Marks. Referred to Committee on Agriculture.
- HB 815**, introduced by Hanson, Devlin. Referred to Committee on Agriculture.
- HB 816**, introduced by Asay, Ramirez, Keller, Sands. Referred to Committee on Taxation.
- HB 817**, introduced by Glaser, Driscoll, Cohen, Simon, (By Request of the House Committee on Business and Labor). Referred to Committee on Business and Labor.
- HB 818**, introduced by Nathe, (By Request of the House Appropriations Committee). Referred to Committee on State Administration.
- HB 819**, introduced by Nathe, (By Request of the House Appropriations Committee). Referred to Committee on State Administration.
- HB 820**, introduced by Fritz, B. Brown, Stang, Corne', Squires, Rapp-Svrcek, Thomas, Farrell, Halligan, Addy, Swysgood, Jergeson, Keenan, Harper, Lory, Moore, Daily. Referred to Committee on Education and Cultural Resources.
- HB 821**, introduced by Keenan, Stang, Harper, Lory, Squires, Strizich, Moore, Miles, Harrington, Swysgood, Hansen, D. Brown, Darko, Quilici, Whalen, McCormick, Menahan, Nisbet, Fritz, Daily, Van Valkenburg, Addy, Peck, Cohen, Yellowtail, Jacobson, Schye, Kennerly, Russell, Stimatz, Regan, Halligan, Jergeson, Mazurek, J. Brown, Bradley, Blaylock, Kadas, Vincent, Lynch, Eck. Referred to Committee on Taxation.
- HB 822**, introduced by Hannah, Koehnke. Referred to Committee on Agriculture.
- HB 823**, introduced by Squires, Thomas, Gage, (By Request of the State Auditor). Referred to Committee on Business and Labor.
- HB 824**, introduced by McCormick, Pistoria. Referred to Committee on Judiciary.
- HB 825**, introduced by McCormick, Pistoria. Referred to Committee on Human Services.
- HB 826**, introduced by Keenan, Raney, Ream, D. Brown. Referred to Committee on Taxation.
- HB 827**, introduced by Winslow. Referred to Committee on Taxation.
- HB 828**, introduced by Cohen. Referred to Committee on Business and Labor.
- HB 829**, introduced by Quilici, Lory, Haffey, Lynch, Jacobson, Stimatz, Regan, Van Valkenburg, Eck, Halligan, Fritz, Daily, Pavlovich. Referred to Committee on Taxation.
- HB 830**, introduced by Keenan, Menahan. Referred to Committee on Natural Resources.
- HB 831**, introduced by Holliday, Eck, Galt, Iverson, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.
- HB 832**, introduced by Gould, Pavlovich, Galt, Menahan, Harrington, Harp, Driscoll, Lynch, Quilici, Meyer, McCormick, Daily, Boylan, Haffey, Walker, Stimatz. Referred to Committee on Taxation.

- HB 833**, introduced by Ramirez, Hannah. Referred to Committee on Taxation.
- HB 834**, introduced by Ramirez, Hannah. Referred to Committee on Taxation.
- HB 835**, introduced by Grady, Haffey, Driscoll, Keenan, Pavlovich, Lynch, Whalen, Campbell, Squires, Manning, Daily, O'Connell, Harrington, Walker, D. Brown. Referred to Committee on State Administration.
- HJR 33**, introduced by Hansen, Eck, Harrington. Referred to Committee on Human Services.
- HJR 34**, introduced by Winslow, Bradley. Referred to Committee on Education and Cultural Resources.
- HJR 35**, introduced by J. Brown. Referred to Committee on Human Services.

The following Senate bills were introduced, read first time, and referred to committees:

- SB 17**, introduced by Pinsonneault. Referred to Committee on Human Services.
- SB 18**, introduced by Pinsonneault. Referred to Committee on Human Services.
- SB 22**, introduced by Van Valkenburg. Referred to Committee on Taxation.
- SB 44**, introduced by Farrell. Referred to Committee on Taxation.
- SB 53**, introduced by Smith. Referred to Committee on Fish and Game.
- SB 69**, introduced by Farrell. Referred to Committee on Highways and Transportation.
- SB 73**, introduced by E. Smith. Referred to Committee on Business and Labor.
- SB 85**, introduced by Gage. Referred to Committee on Natural Resources.
- SB 100**, introduced by Abrams. Referred to Committee on Taxation.
- SB 111**, introduced by Halligan. Referred to Committee on Human Services.
- SB 115**, introduced by Gage. Referred to Committee on Business and Labor.
- SB 116**, introduced by Farrell. Referred to Committee on Taxation.
- SB 120**, introduced by Regan. Referred to Committee on Human Services.
- SB 138**, introduced by Hager. Referred to Committee on Business and Labor.
- SB 151**, introduced by Galt. Referred to Committee on Natural Resources.
- SB 160**, introduced by Mazurek. Referred to Committee on Judiciary.
- SB 161**, introduced by Mazurek. Referred to Committee on State Administration.
- SB 164**, introduced by Gage. Referred to Committee on Judiciary.
- SB 170**, introduced by Rasmussen. Referred to Committee on Human Services.
- SB 172**, introduced by Yellowtail. Referred to Committee on Fish and Game.
- SB 173**, introduced by B. Brown. Referred to Committee on Judiciary.
- SB 181**, introduced by Van Valkenburg. Referred to Committee on Judiciary.
- SB 185**, introduced by B. Williams. Referred to Committee on Human Services.

- SB 189**, introduced by Van Valkenburg. Referred to Committee on Judiciary.
- SB 196**, introduced by B. Brown. Referred to Committee on Education and Cultural Resources.
- SB 204**, introduced by Thayer. Referred to Committee on Local Government.
- SB 206**, introduced by Hirsch. Referred to Committee on Local Government.
- SB 214**, introduced by Mazurek. Referred to Committee on Judiciary.
- SB 218**, introduced by Meyer. Referred to Committee on Business and Labor.
- SB 220**, introduced by Yellowtail. Referred to Committee on Local Government.
- SB 224**, introduced by Eck. Referred to Committee on Taxation.
- SB 225**, introduced by Halligan. Referred to Committee on Judiciary.
- SB 231**, introduced by Yellowtail. Referred to Committee on Education and Cultural Resources.
- SB 238**, introduced by Beck. Referred to Committee on Agriculture.
- SB 240**, introduced by Walker. Referred to Committee on State Administration.
- SB 242**, introduced by Lynch. Referred to Committee on Business and Labor.
- SB 245**, introduced by Kolstad. Referred to Committee on Business and Labor.
- SB 255**, introduced by Jacobson. Referred to Committee on Local Government.
- SB 256**, introduced by Jacobson. Referred to Committee on Judiciary.
- SB 258**, introduced by B. Brown. Referred to Committee on Judiciary.
- SB 264**, introduced by Himsl. Referred to Committee on State Administration.
- SB 267**, introduced by Van Valkenburg. Referred to Committee on State Administration.
- SB 281**, introduced by Beck. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Spaeth in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 123 - Representative Mercer moved that HB 123, second reading copy, be amended as follows:

1. Title, lines 5 and 6.

Strike: "OR QUALIFIED MEMBER OF THE STATE BAR"

2. Page 1, line 23.

Strike: "A MEMBER OF THE BAR OF THE STATE,"

3. Page 1, line 25.

Strike: "APPROVED BY THE COURT,"

4. Page 2, line 3.

Following: "in"

Insert: "the particular"

Strike: "actions"

Insert: "action tried in the manner provided for in subsection (1)"

5. Page 2.

Following: line 12

Strike: "(1)" through "3-5-202;" on line 15

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 88

Noes: Addy, Fritz, Giacometto, Gilbert, Miles.

Total 5

Excused: Eudaily, Rapp-Svrcek, Ream, Winslow.

Total 4

Absent or not voting: Harrington, Iverson, Spaeth.

Total 3

Representative Bradley moved that HB 123, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 90

Noes: Gilbert, Gould, Hayne.

Total 3

Excused: Eudaily, Rapp-Svrcek, Ream, Winslow.

Total 4

Absent or not voting: Harrington, Spaeth, Mr. Speaker.

Total 3

HB 246 - Representative Cobb moved that HB 246 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen,

Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Eudaily, Rapp-Svrcek, Ream, Winslow.

Total 4

Absent or not voting: Harrington.

Total 1

HB 365 - Representative Peck moved that HB 365 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 91

Noes: Giacometto, Hannah.

Total 2

Excused: Eudaily, Rapp-Svrcek, Ream, Winslow.

Total 4

Absent or not voting: D. Brown, Hansen, O'Connell.

Total 3

HB 416 - Representative Donaldson moved that HB 416 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 75

Noes: Campbell, Cobb, Devlin, Giacometto, Gilbert, Glaser, Hanson, Jenkins, Koehnke, Meyers, Nathe, Patterson, Stang, Swift, Switzer, Swysgood.

Total 16

Excused: Eudaily, Rapp-Svrcek, Ream, Winslow.

Total 4

Absent or not voting: Fritz, Harrington, Kadas, Mercer, Pavlovich.

Total 5

HB 431 - Representative Phillips moved that HB 431 do pass. Motion carried as follows:

Ayes: Asay, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Giacometto, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Jenkins, Jones, Keller, Kennerly, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Miller, Nathe, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Roth, Sales, Sands, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen.

Total 57

Noes: Addy, Bachini, Bardanouve, Bradley, Cobb, Cohen, Corne', Devlin, Fritz, Gilbert, Grinde, Hansen, Harper, Harrington, Iverson, Kadas, Keenan, Kitselman, Menahan, Miles, Moore, Nelson, Nisbet, Peck, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Schye, Simon, Spaeth, Squires, Vincent, Williams, Mr. Speaker.

Total 37

Paired: Hannah, Aye; Ream, No.

Excused: Eudaily, Rapp-Svrcek, Winslow.

Total 3

Absent or not voting: Connelly, Manuel, Russell.

Total 3

HB 501 - Representative Cody moved that HB 501 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Eudaily, Rapp-Svrcek, Ream, Winslow.

Total 4

Absent or not voting: Ellison, Peterson, Swift.

Total 3

HB 509 - Representative Schye moved that HB 509 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Eudaily, Rapp-Svrcek, Ream, Winslow.

Total 4

Absent or not voting: D. Brown, Connelly.

Total 2

HB 565 - Representative Pistoria moved that HB 565 do pass. Motion failed. (32-63)

Representative Hannah moved that HB 565 do not pass. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, Campbell, Cobb, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Menahan, Menke, Meyers, Miles, Moore, Nathe, Nelson, Patterson, Peck, Peterson, Poff, Poulsen, Ramirez, Raney, Rehberg, Russell, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 60

Noes: Addy, Bardanouve, D. Brown, J. Brown, Bulger, Connelly, Daily, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Hannah, Hanson, Harper, Harrington, Kadas, Kennerly, Koehnke, McCormick, Manuel, Mercer, Miller, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Quilici, Roth, Sales, Schye, Strizich, Swift, Williams.

Total 35

Paired: Eudaily, Aye; Pistoria, No.

Excused: Rapp-Svrcek, Ream, Winslow.

Total 3

Absent or not voting: Hoffman, Lory.

Total 2

Representative Winslow present at this time.

Representative Thomas excused at this time.

HB 576 - Representative Nelson moved that HB 576 do pass. After debate, Representative Nelson moved that consideration of HB 576 be passed for the day due to Representative Eudaily's absence. Motion carried.

HB 581 - Representative McCormick moved that HB 581 do pass. After debate, Representative McCormick moved that HB 581 be placed at the bottom of the second reading board. Motion carried.

HB 587 - Representative Darko moved that HB 587 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Asay, Pistoria.

Total 2

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas.

Total 4

Absent or not voting: Kennerly, Menahan.

Total 2

HB 590 - Representative Strizich moved that HB 590 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Pistoria.

Total 1

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas.

Total 4

Absent or not voting: None.

Total 0

HB 627 - Representative Strizich moved that HB 627, second reading copy, be amended as follows:

1. Page 1, line 18.

Strike: "two"

Insert: "additional"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Peck.

Total 1

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas.

Total 4

Absent or not voting: Grinde, Kadas, Pistoria.

Total 3

Representative Strizich moved that HB 627, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Russell, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Vincent, Whalen, Williams, Winslow.

Total 71

Noes: Bradley, Campbell, Cobb, Ellison, Grinde, Hannah, Hanson, Hayne, Jones, Menke, Meyers, Nathe, Peck, Pistoria, Roth, Sales, Sands, Simon, Smith, Switzer, Swysgood, Thoft, Wallin, Mr. Speaker.

Total 24

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas.

Total 4

Absent or not voting: Devlin.

Total 1

HB 634 - Representative Ellison moved that HB 634 do pass. Motion carried as follows:

Ayes: Asay, Bardanouve, J. Brown, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Fritz, Gilbert, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keller, Kennerly, Kitselman, Koehnke, Mercer, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rehberg, Roth, Sands, Spaeth, Stratford, Swift, Switzer, Wallin, Williams, Winslow, Mr. Speaker.

Total 49

Noes: Addy, Bachini, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Giacometto, Glaser, Grady, Hansen, Harp, Harper, Harrington, Jones, Kadas, Keenan, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Moore,

Nisbet, Poff, Poulsen, Russell, Sales, Schye, Simon, Smith, Squires, Stang, Strizich, Swysgood, Thoht, Vincent, Whalen.

Total 47

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas.

Total 4

Absent or not voting: None.

Total 0

Representative Williams excused at this time.

HB 637 - Representative Hansen moved that HB 637, second reading copy, be amended. Amendment failed. (40-57)

Representative Addy moved that HB 637, second reading copy, be amended. Amendment failed. (38-60)

Representative Winslow moved that HB 637 do pass. Motion carried as follows:

Ayes: Asay, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoht, Thomas, Wallin, Winslow, Mr. Speaker.

Total 66

Noes: Addy, Bachini, Bradley, D. Brown, Cohen, Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Moore, Nisbet, Pavlovich, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Strizich, Vincent, Whalen.

Total 32

Paired: Eudaily, Hannah, Rehberg, Thomas, Ayes; Hansen, Harrington, Rapp-Svrcek, Ream, Noes.

Excused: Williams.

Total 1

Absent or not voting: O'Connell.

Total 1

HB 641 - Representative Menahan moved that HB 641, second reading copy, be amended as follows:

1. Page 1, line 20.

Following: "(2)"

Strike: "An"

Insert: "Notwithstanding the provisions of 41-5-523, an"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich,

Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 93

Noes: Addy.

Total 1

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas, Williams.

Total 5

Absent or not voting: Smith.

Total 1

Representative Keenan moved that HB 641, second reading copy, be further amended as follows:

1. Title.

Following: line 5

Insert: “, BUT NOT LESS THAN 12,”

2. Page 1, line 20.

Following: “age”

Insert: “, but not less than 12,”

3. Page 1, line 24.

Following: “ill”

Insert: “, as defined in 53-21-102, but whose temporary admission shall not exceed 30 days”

4. Page 2, line 4.

Following: “ill”

Strike: “.”

Insert: “². After 30 days, the court will review the status of the evaluation and take appropriate action.”

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas, Williams.

Total 5

Absent or not voting: Connelly, Peterson.

Total 2

Representative Menahan moved that HB 641, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 88

Noes: Hansen, Nathe, Peck, Russell.

Total 4

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas, Williams.

Total 5

Absent or not voting: D. Brown, Harrington, Winslow.

Total 3

Representative Winslow excused at this time.

HB 647 - Representative Bulger moved that HB 647 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 89

Noes: Hansen.

Total 1

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas, Williams, Winslow.

Total 6

Absent or not voting: D. Brown, Grinde, Lory, Smith.

Total 4

HB 664 - Representative Ramirez moved that HB 664 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Mr. Speaker.

Total 89

Noes: Cohen, Nisbet, Whalen.

Total 3

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas, Williams, Winslow.

Total 6

Absent or not voting: D. Brown, Kadas.

Total 2

Representative Addy in the Chair.

HB 674 - Representative Mercer moved that HB 674 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas, Williams, Winslow.

Total 6

Absent or not voting: None.

Total 0

HB 679 - Representative Keenan moved that HB 679 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 85

Noes: Asay, Devlin, Donaldson, Giacometto, Hayne, Keller, Menke, Sales, Sands.

Total 9

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas, Williams, Winslow.

Total 6

Absent or not voting: None.

Total 0

HB 682 - Representative Spaeth moved that HB 682 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 91

Noes: Daily, Hansen.

Total 2

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas, Williams, Winslow.

Total 6

Absent or not voting: Bachini.

Total 1

Representative Spaeth in the Chair.

HB 689 - Representative Swift moved that HB 689 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen.

Total 91

Noes: None.

Total 0

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas, Williams, Winslow.

Total 6

Absent or not voting: Manuel, Nathe, Mr. Speaker.

Total 3

HB 690 - Representative Brandewie moved that HB 690 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick,

Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Eudaily, Rapp-Svrcek, Ream, Thomas, Williams, Winslow.

Total 6

Absent or not voting: Bardanouve, Poulsen.

Total 2

Representative Peterson excused at this time.

HB 691 - Representative Bradley moved that HB 691 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Mr. Speaker.

Total 86

Noes: Cohen, Driscoll, Nisbet, Whalen.

Total 4

Excused: Eudaily, Peterson, Rapp-Svrcek, Ream, Thomas, Williams, Winslow.

Total 7

Absent or not voting: Brandewie, D. Brown, Harp.

Total 3

Representative Addy in the Chair.

HB 697 - Representative Connelly moved that HB 697 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen.

Total 90

Noes: None.

Total 0

Excused: Eudaily, Peterson, Rapp-Svrcek, Ream, Thomas, Williams, Winslow.

Total 7

Absent or not voting: Ellison, Harrington, Mr. Speaker.

Total 3

HB 720 - Representative Spaeth moved that HB 720 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 91

Noes: Hansen.

Total 1

Excused: Eudaily, Peterson, Rapp-Svrcek, Ream, Thomas, Williams, Winslow.

Total 7

Absent or not voting: D. Brown.

Total 1

HB 722 - Representative Cobb moved that HB 722, second reading copy, be amended as follows:

1. Page 4, line 7.

Strike: "the system"

Insert: "a public water supply system or a public sewage disposal system"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Eudaily, Peterson, Rapp-Svrcek, Ream, Thomas, Williams, Winslow.

Total 7

Absent or not voting: D. Brown, Poulsen, Strizich.

Total 3

Representative Spaeth in the Chair.

Representative Sands excused at this time.

Representative Cobb moved that HB 722, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen.

Total 82

Noes: Koehnke, Poulsen, Swysgood, Mr. Speaker.

Total 4

Excused: Eudaily, Peterson, Rapp-Svrcek, Ream, Sands, Thomas, Williams, Winslow.

Total 8

Absent or not voting: D. Brown, Ellison, Hannah, Harper, Harrington, Jones.

Total 6

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Spaeth moved the adoption of the committee report. Report adopted. (76-11)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 118 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 87

Noes: Cohen.

Total 1

Excused: Ellison, Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Schye, Thomas, Williams, Winslow.

Total 12

Absent or not voting: None.

Total 0

HB 232 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 87

Noes: Nathe.

Total 1

Excused: Ellison, Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Schye, Thomas, Williams, Winslow.

Total 12

Absent or not voting: None.

Total 0

HB 241 passed as follows:

Ayes: Asay, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 72

Noes: Addy, Bachini, Bardanouve, D. Brown, Darko, Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Nisbet, O'Connell, Peck, Pistoria, Quilici, Raney, Ream, Russell, Squires, Strizich, Whalen.

Total 26

Paired: Asay, Ellison, Eudaily, Harp, Peterson, Rapp-Svrcek, Sands, Thomas, Winslow, Ayes; Addy, Driscoll, Harrington, Keenan, McCormick, Menahan, Nisbet, Ream, Strizich, Noes.

Excused: Schye, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 256 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rehberg, Roth, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Mr. Speaker.

Total 80

Noes: Campbell, Mercer, Ramirez, Russell, Sales, Spaeth, Swysgood, Whalen.

Total 8

Excused: Ellison, Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Schye, Thomas, Williams, Winslow.

Total 12

Absent or not voting: None.

Total 0

HB 343 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 81

Noes: Hoffman, Nathe, Simon, Swift.

Total 4

Excused: Ellison, Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Schye, Thomas, Williams, Winslow.

Total 12

Absent or not voting: Bachini, Grinde, McCormick.

Total 3

HB 450 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 86

Noes: Fritz.

Total 1

Excused: Ellison, Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Schye, Thomas, Williams, Winslow.

Total 12

Absent or not voting: Pavlovich.

Total 1

HB 519 passed as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, Campbell, Cody, Compton, Daily, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 61

Noes: Addy, Bardanouve, Bradley, J. Brown, Bulger, Cobb, Cohen, Connelly, Corne', Darko, DeMars, Driscoll, Fritz, Hansen, Harp, Harper, Holliday, Kadas, Keenan, Kennerly, Lory, Miles, Moore, Nisbet, Peck, Poulsen, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen.

Total 37

Paired: Cody, Ellison, Harrington, Mercer, Peterson, Rehberg, Sands, Thomas, Winslow, Ayes; Connelly, Darko, Harp, Keenan, Miles, Rapp-Svrcek, Ream, Schye, Stang, Noes.

Excused: Eudaily, Williams.

Total 2

Absent or not voting: None.

Total 0

HB 531 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rehberg, Roth, Sales, Simon, Smith, Spaeth, Squires, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Mr. Speaker.

Total 65

Noes: Bachini, D. Brown, Cohen, Connelly, Darko, Driscoll, Fritz, Hoffman, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, Quilici, Russell, Schye, Stang, Stratford, Strizich, Swift, Whalen.

Total 25

Paired: Cody, Ellison, Thomas, Ayes; Miles, Schye, Whalen, Noes.

Excused: Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Williams, Winslow.

Total 9

Absent or not voting: O'Connell.

Total 1

HB 579 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 80

Noes: Addy, Devlin, Gilbert, Hanson, Jenkins, Ramirez, Rehberg, Roth.

Total 8

Excused: Ellison, Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Schye, Thomas, Williams, Winslow.

Total 12

Absent or not voting: None.

Total 0

HB 585 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 85

Noes: McCormick.

Total 1

Excused: Ellison, Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Schye, Thomas, Williams, Winslow.

Total 12

Absent or not voting: Hoffman, Swift.

Total 2

HB 629 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 81

Noes: Campbell, Grinde, Stang, Switzer, Swysgood.

Total 5

Excused: Ellison, Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Schye, Thomas, Williams, Winslow.

Total 12

Absent or not voting: Hansen, Jenkins.

Total 2

HB 639 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 86

Noes: Giacometto, Poff.

Total 2

Excused: Ellison, Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Schye, Thomas, Williams, Winslow.

Total 12

Absent or not voting: None.

Total 0

HB 646 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 86

Noes: Kadas.

Total 1

Excused: Ellison, Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Schye, Thomas, Williams, Winslow.

Total 12

Absent or not voting: Stang.

Total 1

HB 648 passed as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rehberg, Roth, Russell, Sales, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 72

Noes: Addy, Bardanouve, Cobb, Cohen, Gilbert, Hannah, Hansen, Harper, Kadas, Kitselman, Koehnke, Mercer, Nelson, Peck, Ramirez, Simon.

Total 16

Paired: Thomas, Aye; Hannah, No.

Excused: Ellison, Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Schye, Williams, Winslow.

Total 11

Absent or not voting: Menke.

Total 1

HB 651 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Ellison, Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Schye, Thomas, Williams, Winslow.

Total 12

Absent or not voting: None.

Total 0

HB 669 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Ellison, Eudaily, Harp, Harrington, Peterson, Rapp-Svrcek, Ream, Sands, Schye, Thomas, Williams, Winslow.

Total 12

Absent or not voting: Hansen.

Total 1

HJR 18 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Russell, Sales, Smith, Squires, Stang, Stratford, Strizich, Swift, Vincent, Wallin, Whalen.

Total 77

Noes: Campbell, Devlin, Giacometto, Hanson, Menke, Roth, Simon, Spaeth, Switzger, Swysgood, Thoft, Mr. Speaker.

Total 12

Paired: Peterson, Aye; Devlin, No.

Excused: Ellison, Eudaily, Harp, Harrington, Rapp-Svrcek, Ream, Sands, Schye, Thomas, Williams, Winslow.

Total 11

Absent or not voting: None.

Total 0

MOTIONS

Representative Donaldson moved that HB 627 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Connelly moved that the rules be suspended to allow the late drafting and introduction of a resolution regarding self-insurance for school districts. Motion carried. (65-22)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 2:30 p.m., February 19, 1987.

Motion carried.

House adjourned at 8:30 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FORTIETH LEGISLATIVE DAY

Helena, Montana
February 19, 1987

House Chambers
State Capitol

House convened at 2:35 p.m., Mr. Speaker in the Chair. Invocation by Representative Menke. Pledge of Allegiance to the Flag.

Roll call. All members present except Eudaily, DeMars, J. Moore, Ream, and Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-eighth legislative day, find the same to be correct.

Hayne, Chairman

MOTIONS

Representative Hannah moved that the House stand in recess until 3:15 p.m. so both parties could caucus. Motion carried.

House recessed at 2:45 p.m.

House reconvened at 4:00 p.m.

Mr. Speaker in the Chair.

Representative Eudaily present at this time.

Representative Daily excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/19/87

Correctly printed: HB 189, HB 277, HB 309, HB 372, HB 376, HB 385, HB 393, HB 430, HB 466, HB 470, HB 472, HB 492, HB 530, HB 539, HB 570, HB 600, HB 607, HB 650, HB 654, HB 692, HB 718, HB 734, HB 738, HB 744, HB 745, HB 752, HB 765, HB 769, HB 771, HB 772, HB 783, HJR 30.

Correctly engrossed: HB 123, HB 246, HB 365, HB 416, HB 431, HB 501, HB 509, HB 587, HB 590, HB 627, HB 634, HB 637, HB 641, HB 647, HB 664, HB 674, HB 679, HB 682, HB 689, HB 690, HB 691, HB 697, HB 720, HB 722.

Correctly enrolled: HB 280, HB 311.

Examined by the sponsor and found to be correct:

HB 280 - Hanson

HB 311 - Kadas

Signed by the Speaker at 8:10 a.m.: HB 99, HB 159, HB 251, HB 265, HB 299, HB 312, HB 360.

Signed by the Speaker at 6:00 p.m.: HB 280, HB 311.

Delivered to the Governor for his approval at 2:36 p.m.: HB 87, HB 114, HB 158, HB 224, HB 225, HB 244.

APPROPRIATIONS (Donaldson, Chairman):

2/19/87

HB 28, do pass. Report adopted.

HB 461, do pass. Report adopted.

HB 635, do pass. Report adopted.

HB 724, introduced bill, be amended as follows:

2/18/87

1. Title.

Following: line 9

Insert: "AMENDING SECTIONS 17-7-111, MCA;"

2. Page 2.

Following: line 23

Insert: "(2) An agency, other than the Montana university system, a postsecondary vocational-technical center, or a community college will by June 30 of each fiscal year revert to the appropriate vacancy savings pool 50% of any vacancy savings realized in excess of the vacancy savings calculated in the appropriation for the year."

Renumber: subsequent subsections

3. Page 3, line 17.

Following: "legislature."

Insert: "The cost of upgrades ordered by the court may not be paid from the vacancy savings pool, but those agencies affected by court-ordered upgrades are not excluded from receiving funds from the pool for vacancy savings if all other conditions of [section 3] are met."

4. Page 3, line 23.

Following: "authority."

Strike: "(1)" through "act." on line 22, page 4

Insert: "(1) The governor or his designee is authorized to increase the expenditure authority of executive branch agencies for fiscal 1989 from the executive branch vacancy savings fund only if money exists in the vacancy savings fund and money and expenditure authority are given to the agency at the same time.

(2) The legislative finance committee is authorized to increase the expenditure authority of legislative branch agencies for fiscal 1989 from the legislative branch vacancy savings fund only if money exists in the vacancy savings fund and money and expenditure authority are given to the agency at the same time.

(3) The chief justice of the supreme court or his designee is authorized to increase the expenditure authority of judicial branch agencies for fiscal 1989 from the judicial branch vacancy savings fund only if money exists in the vacancy savings fund and money and expenditure authority are given to the agency at the same time."

5. Page 4.

Following: line 22

Insert: "Section 5. Section 17-7-111, MCA, is amended to read:

"17-7-111. Agency program budgets — form distribution and contents. (1) In the preparation of a state budget, the budget director shall, not later than July 1 in the year preceding the convening of the legislature, distribute to all state offices and departments, including the judicial branch and the legislative branch, the proper forms necessary for the preparation of budget estimates. These forms shall be prescribed by the budget director to procure the information required by subsection (2).

(2) The agency budget requests, when completed by the budget office, must set forth a balanced financial plan for the agency completing the forms for each fiscal year of the ensuing biennium. The plan must consist of:

(a) a consolidated agency budget summary for current level expenditures and for each modification request setting forth the aggregate figures of the full-time equivalent personnel positions (FTE) and the budget in such manner as to show a balance between the total proposed disbursements and the total anticipated receipts,

together with the other means of financing the budget for each fiscal year of the ensuing biennium, contrasted with the corresponding figures for the last completed fiscal year and the fiscal year in progress. The consolidated budget summary must be supported by schedules classifying receipts and disbursements contained therein by fund and, where applicable, organizational unit.

(b) a schedule of the actual and projected receipts, disbursements, and solvency of each accounting entity within each fund for the current and subsequent biennium;

(c) a detailed schedule of receipts, by accounting entity within each fund, indicating classification and source of funds;

(d) an agency schedule summarizing past and proposed spending plans and the means of financing the proposed plan. Information presented shall include the following:

(i) a statement of agency goals and objectives and a statement of goals and objectives for each program of the agency. Such goals and objectives must include, in a concise form, sufficient specific information and quantifiable information to enable the legislature to formulate an appropriations policy regarding the agency and its programs and to allow a determination, at some future date, on whether the agency has succeeded in attaining its goals and objectives.

(ii) actual FTE, ~~and~~ disbursements, and vacancy savings for the completed fiscal year of the current biennium, estimated FTE, ~~and~~ disbursements, and vacancy savings for the current fiscal year, and the agency's request for the ensuing biennium, by program; and

(iii) actual disbursements for the completed fiscal year of the current biennium, estimated disbursements for the current fiscal year, and the agency's recommendations for the ensuing biennium, by disbursement category;

(e) any other information the budget director feels is necessary for the preparation of a budget.

(3) The budget director must also prepare and submit to the legislative fiscal analyst in accordance with 17-7-112:

(a) detailed recommendations for the state long-range building program. Each recommendation shall be presented by department, institution, agency, or branch by funding source, with a description of each proposed project; and

(b) the proposed pay plan schedule for all executive branch employees, with the specific cost and funding recommendations for each agency. Submission of a pay plan schedule under this subsection is not an unfair labor practice under 39-31-401.

(4) The board of regents shall submit, with its budget request for each university unit in accordance with 17-7-112, a report on the university system bonded indebtedness and related finances as provided in this subsection (4). The report must include the following information for each year of the biennium, contrasted with the same information for the last completed fiscal year and the fiscal year in progress:

(a) a schedule of estimated total bonded indebtedness for each university unit by bond indenture;

(b) a schedule of estimated revenue, expenditures, and fund balances by fiscal year for each outstanding bond indenture, clearly delineating the accounts relating to each indenture and the minimum legal funding requirements for each bond indenture; and

(c) a schedule showing the total funds available from each bond indenture and its associated accounts, with a list of commitments and planned expenditures from such accounts, itemized by revenue source and project for each year of the current and ensuing bienniums.””

Renumber: subsequent section

6. Page 4, line 24.

Following: “2,”

Strike: “and”

Following: “5”

Insert: “, and 6”

7. Page 5, line 2.

Strike: “1989”

Insert: “1991”

8. Sections 1 through 4, and 6.

Preceding: “Section”

Insert: “NEW SECTION.”

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman):

2/19/87

HB 417, introduced bill, be amended as follows:

1. Title, line 12.

Following: “PREFERENCES;”

Insert: “AND”

2. Title, line 13.

Strike: “18-5-308,”

3. Title, line 14.

Strike: “; AND REPEALING SECTION 18-1-111, MCA”

4. Page 2, line 3.

Strike: “equipment”

Insert: “material”

5. Page 4, line 10.

Following: “Montana-Made”

Insert: “, however,

(iv) no combination of preferences under this subsection may exceed 5%”

6. Page 7, lines 8 through 15.

Strike: section (5) in its entirety

Renumber: subsequent sections

7. Page 8, line 18.

Following: “shall”

Insert: “either have on file with or”

8. Page 8, line 19.

Following: “agency”

Strike: “, together with the”

Insert: “with its”

9. Page 9, line 6.

Strike: "employers"

Insert: "agencies"

10. Page 9, lines 7 and 8.

Strike: section (9) in its entirety

Renumber: subsequent section

11. Page 9, line 10.

Strike: "7"

Insert: "6"

Strike: "8"

Insert: "7"

12. Page 9, line 12.

Strike: "7"

Insert: "6"

Strike: "8"

Insert: "7"

Committee attached the following statement of intent:

Statement of Intent
HB 417

A statement of intent is required for this bill because section 7 authorizes the department of administration to adopt rules necessary to administer the preferences provided in Title 18, chapter 1, part 1. The legislature intends that the rules should prevent bidders from circumventing the preference provisions by creating business entities specifically to obtain residency status or to gain an award of a public contract for goods after being disqualified for submitting a false affidavit. The rules should also specify the contents of an affidavit to be submitted by a bidder as required under section 6.

And, as amended, do pass. Report adopted.

HB 784, introduced bill, be amended as follows:

1. Page 1, line 21.

Following: "appointment"

Insert: "and be licensed to practice law in Montana"

2. Page 4, line 2.

Strike: "(b) fees;"

Renumber: subsequent subsection

Committee attached the following statement of intent:

Statement of Intent
HB 784

A statement of intent is required for this bill because it creates a new state agency, the office of state industrial attorney, that has the authority to adopt rules regarding the provision of legal services to injured workers who are pursuing claims for workers' compensation or occupational disease benefits.

It is the intent of the legislature that the state industrial attorney promulgate rules concerning reimbursement by the claimant of the state industrial attorney of the reasonable value of legal services rendered by the state industrial attorney if a claimant replaces him with private counsel, and for costs. In representing a claimant, the state industrial attorney is

free to use his professional judgment as to the best means to accomplish the representation.

And, as amended, do pass. Report adopted.

HB 796, do pass. Report adopted.

HB 803, introduced bill, be amended as follows:

1. Title, lines 12 and 13.

Following: “; MCA” on line 12

Strike: remainder of line 12 and line 13 through “DATE”

2. Page 27.

Following: line 17

Strike: section (19) in its entirety

Renumber: subsequent sections

3. Page 28.

Following: line 18

Strike: sections (22) and (23) in their entirety

Committee attached the following statement of intent:

Statement of Intent

HB 803

A statement of intent is required for this bill because section 15 authorizes the commissioner of insurance of the state of Montana (commissioner) to determine by rule the instances in which an insurance agent may place insurance coverage with an insurer as to which he is not then licensed or appointed as an agent and because section 16 authorizes the commissioner to determine the instances in which a life or disability insurance agent may place excess or rejected risks in an insurer that has not appointed him as agent. The legislature intends that the rules that the commissioner adopts to implement this bill be designed to protect Montana life and disability insurance consumers.

The legislature further intends that the commissioner adopt those rules in accordance with 33-1-313, which grants the commissioner general rule-making authority and which permits the commissioner:

(1) to make only reasonable rules that do not extend, modify, or conflict with any law of this state or with any reasonable implication of those laws; and

(2) to make or amend those rules only after a hearing of which notice has been given as required by 33-1-703.

And, as amended, do pass. Report adopted.

HB 806, do pass. Report adopted.

HB 817, introduced bill, be amended as follows:

1. Page 2, line 23.

Following: “claims”

Insert: “, except workers’ compensation claims,”

2. Page 3, line 19.

Strike: “may”

Insert: “shall”

3. Page 6, line 10.

Following: “of”

Strike: “a”

Insert: “that particular”

And, as amended, do pass. Report adopted.

HJR 32, introduced bill, be amended as follows:

1. Title, line 4.
Strike: "THE SENATE AND"
2. Title, line 5.
Following: "REPRESENTATIVES"
Insert: "AND THE SENATE"
3. Page 2, line 12.
Strike: "tax credits"
Insert: "incentives"
4. Page 2, line 16.
Strike: "THE SENATE AND"
5. Page 2, line 17.
Following: "REPRESENTATIVES"
Insert: "AND THE SENATE"
6. Page 3, line 6.
Strike: "the Montana Senate and"
7. Page 3, line 7.
Following: "Representatives"
Insert: "and the Senate"

And, as amended, do pass. Report adopted.

FISH AND GAME (Ellison, Chairman):

2/18/87

HB 379, introduced bill, be amended as follows:

1. Title, line 9.
Following: "DATE"
Insert: "AND A TERMINATION DATE"
2. Page 2, line 10.
Strike: "fish and"
3. Page 3, line 4.
Following: "big game"
Strike: ", game fish,"
Insert: "animals"
Following: "and game"
Strike: "bird permits to be requested for the area;"
Insert: "birds that may be harvested on the private wildlife management area and for which hunting licenses must be guaranteed by the department. The number of licenses authorized to be issued pursuant to the plan must be determined by the management objectives stated in the plan and is not subject to other general limitations imposed by quotas established by law or rules."
4. Page 3, line 8.
Following: "objectives"
Insert: "; and"

(e) provisions for reasonable public access to public land within the private wildlife management area"

5. Page 3.
Following: line 15
Insert: "(b) In evaluating the application, the department shall review the accompanying proposed wildlife management area plan

for compliance with this section. It shall approve the plan if it determines the plan complies with this section and provides for the protection, preservation, and propagation of wildlife species in accordance with the commission's responsibilities under 87-1-301(1) and under applicable rules and policies adopted by the commission."

Renumber: subsequent subsection

6. Page 5, line 5.

Strike: "Permit and tag procedures"

Insert: "Area use permit — hunting license requirements"

7. Page 5, line 7.

Strike: "hunting permit applications"

Insert: "area use permits"

8. Page 5, line 8.

Following: "plan."

Strike: remainder of line 8 through line 11

Insert: "A person obtaining from a licensee a permit to hunt on the private wildlife management area must be issued, upon application to the department or its license agent, the hunting license indicated on the permit."

9. Page 6, line 13.

Strike: "or fishing"

10. Page 7.

Following: line 15

Insert: "Section 11. Limitation on number of areas that may be approved. No more than three private wildlife management areas may be approved in any fish and game district designated in 2-15-3402(2)."

Renumber: subsequent sections

11. Page 7, line 19.

Following: "date"

Insert: "— termination"

12. Page 7, line 20.

Following: "approval"

Insert: "and terminates July 1, 1993"

Committee attached the following statement of intent:

Statement of Intent HB 379

A statement of intent is required for this bill because it allows the fish and game commission in section 10 to adopt rules that are necessary to implement the act. It is the intent of the legislature that the commission adopt rules that address, but are not limited to, contents of a private wildlife management area plan, application procedures, terms and conditions of an area license, issuance of hunting permits to licensees, and licensee recordkeeping.

And, as amended, do pass. Report adopted.

HB 406, introduced bill, be amended as follows:

1. Title.

Following: line 5

Insert: "TO REVISE THE METHOD OF SELECTION OF MEMBERS;"

2. Title, line 9.

Following: "OUTFITTERS;"

Insert: "TO PROVIDE PENALTIES FOR VIOLATIONS;"

3. Title, line 10.

Following: "MCA;"

Strike: "AND"

4. Title, line 11.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE
FOR A PORTION OF THE ACT"

5. Page 1, line 18.

Following: "(2)"

Insert: "(a)"

6. Page 1, line 18.

Following: "members"

Strike: remainder of line 18 through line 17, page 2

Insert: "to be appointed by the governor."

(b) Five members must be licensed outfitters, each of whom has a minimum of 5 years' experience as a licensed outfitter and is actively involved in the outfitting business. Each outfitter member shall represent one of the five districts designated in 2-15-3402(2). Two qualified persons in each district must be nominated for appointment by the licensed outfitters residing in that district at an annual meeting of the outfitters in that district to be held on a Saturday during March or April. A licensed outfitter who does not attend the annual meeting may assign his vote to an attending outfitter by a written and signed proxy. Only one such proxy vote may be cast by an attending outfitter. Names of nominees must be submitted to the governor, who will select one outfitter from each district to be a board member.

(c) The governor shall also appoint one member who is an employee of the department of fish, wildlife, and parks and one member from the general public.

(3) A vacancy on the board must be filled in the same manner as the original appointment."

7. Page 3.

Following: line 2

Insert: "(6) Each member of the board is entitled to receive compensation and travel expenses as provided for in 37-1-133."

8. Page 5, line 10.

Following: "year."

Strike: remainder of lines 10 through 12

9. Page 5, line 13.

Following: "government"

Strike: "through its appropriate agencies or instrumentalities"

10. Page 5, line 24 through line 9, page 6.

Strike: subsection (3) in its entirety

Insert: "(3) enforce the provisions of this chapter and rules adopted pursuant to this chapter;"

11. Page 7, line 16.

Strike: "fee shall be used"

Insert: "fees must be deposited in the state special revenue fund and must be used by the board"

12. Page 7, line 18.

Following: "costs"

Insert: ", subject to 37-1-101(6)"

13. Page 10.

Following: line 16

Insert: "NEW SECTION. Section 8. Penalties — disposition of fines. (1) A person who violates any provision of this chapter or rule adopted under this chapter is guilty of a misdemeanor and is punishable by a fine not exceeding \$500.

(2) A person who represents himself as an outfitter or purposely engages in outfitting without a license as required by this chapter is guilty of a misdemeanor and is punishable by a fine of not less than \$200 and not more than \$500. In addition, the person must be assessed the amount of all costs incurred by the board in investigating and preparing the case for trial.

(3) Fifty percent of all fines paid under this section must be deposited in the general fund of the county in which the conviction is obtained, and 50% must be deposited in the state special revenue fund for the use of the board in enforcing this chapter.

NEW SECTION. Section 9. Enforcement. Investigations and arrests for violations of this chapter may be made by any peace officer; warden of the department of fish, wildlife, and parks; or federal agency enforcement personnel."

Renumber: subsequent sections

14. Page 11, line 5.

Following: "instruction."

Insert: "(1)"

15. Page 11.

Following: line 9

Insert: "(2) The code commissioner shall recodify section 2-15-3403 as an integral part of Title 2, chapter 15, part 18."

16. Page 11.

Following: line 11

Insert: "NEW SECTION. Section 13. Transition — effective date.

(1) Members of the board of outfitters may be nominated and appointed upon passage and approval of sections 1 through 12 but may not take office prior to the effective date of sections 1 through 12. The board upon appointment may adopt rules as authorized in sections 1 through 12, but such rules may not become effective prior to the effective date of sections 1 through 12.

(2) This section is effective on passage and approval."

Committee attached the following statement of intent:

Statement of Intent
HB 406

A statement of intent is submitted for this bill because the board of outfitters established in section 1 is required to adopt rules under section 4 concerning the licensing of outfitters and guides. Because the licensing and enforcement authority is simply being transferred from the department of

fish, wildlife, and parks to the board with no substantive change in requirements, it is intended that the board of outfitters should adopt rules substantially similar to those currently in place as adopted by the department.

And, as amended, do pass. Report adopted.

HB 429, introduced bill, be amended as follows:

2/17/87

1. Page 1, line 24.

Strike: "a"

2. Page 1, line 25.

Strike: "is"

Insert: "are"

Committee attached the following statement of intent:

Statement of Intent

HB 429

A statement of intent is required for this bill because it grants rule-making duties to the fish and game commission with regard to the awarding of prizes for the taking of protected fish in state waters. It is the intent of the legislature that the commission adopt rules that address an approval process for the conditions or operations of fishing tournaments, derbies, or contests in order to protect and preserve the fish resources in the state from potentially harmful practices or results of such events.

It is the intent of the legislature that the commission adopt rules that are designed to prevent adverse impacts on the fish resources. To accomplish the purpose, the commission may adopt rules that include but are not limited to:

(1) the duties of the department of fish, wildlife, and parks to recommend approval or disapproval of a tournament, derby, or contest or its conditions, based on sound wildlife conservation criteria;

(2) reporting requirements for the rules and conditions of a tournament, derby, or contest that awards a prize for the taking of fish;

(3) purse or participation limits for such events;

(4) time limits for reporting such events to obtain commission approval or disapproval; and

(5) details of the approval process, including any appeal process.

Notwithstanding the general rulemaking areas listed, it is the intent of the legislature to permit the commission to adopt rules that allow the commission enough flexibility to consider the merits of each tournament, derby, or contest on a case-by-case basis.

And, as amended, do pass. Report adopted.

HB 454, introduced bill, be amended as follows:

2/18/87

1. Page 2, line 16.

Strike: "effectively" through "and a" on line 19

Insert: "muffled either by discharge underwater or by a functioning muffler capable of muffling exhaust noise at full throttle to 86 dbA or less when measured at a distance of 50 feet. The"

2. Page 2, line 20.

Following: "cutout."

Insert: "The department may require a test at dockside to determine exhaust noise level."

And, as amended, do pass. Report adopted.

HB 464, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "MANAGERS AND TO PROVIDE FOR THE MANAGEMENT OF"

Insert: "A MANAGER FOR THE JUDITH RIVER"

2. Title, line 6.

Strike: "AREAS UNDER THE JURISDICTION OF"

Insert: "AREA, AS DESIGNATED AND OPERATED BY"

3. Page 1, line 10.

Following: "of"

Insert: "the Judith River"

Strike: "areas"

Insert: "area"

4. Page 1, lines 11 through 14.

Strike: subsection (1) in its entirety

Re-number: subsequent subsections

5. Page 1, line 15.

Strike: "(2)"

Re-number: subsections (a) through (d) as (1) through (4)

6. Page 1, line 16.

Strike: "and assistant manager for each"

Insert: "for the Judith River"

And, as amended, do pass. Report adopted.

HB 535, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "REVISING" through "OF" on line 5

Insert: "ALLOCATING CLASS B-10"

2. Title, line 6.

Following: "LICENSES"

Insert: "BETWEEN APPLICANTS INTENDING TO EMPLOY LICENSED OUTFITTERS AND ALL OTHER APPLICANTS"

3. Title, line 9.

Strike: "ALL"

Insert: "CLASS B-11"

4. Title, line 11.

Following: "RESIDENT"

Insert: "LANDOWNER"

5. Page 2, line 4.

Strike: "Not more than 6,000"

Insert: "Six thousand"

Strike: "may" through "one" on line 5

Insert: "are authorized for sale each"

6. Page 2, line 8.

Strike: "April 1"

Insert: "March 15"

Strike: "one-half"

Insert: "5,600 of"

7. Page 2, line 9.

Following: "authorized"

Insert: "Class B-10"

Strike: "of each class"

Insert: "and 2,000 Class B-11 licenses"

8. Page 2, line 11.

Following: "outfitter"

Insert: ",

Strike: "one-half"

Insert: "2,000 of the authorized Class B-11 licenses"

9. Page 2, line 12.

Following: "sponsor"

Insert: "on land owned by that sponsor"

10. Page 2, line 13.

Strike: "subsection"

Insert: "subsections"

Following: "(2)"

Insert: "and (3)"

11. Page 2, line 14.

Following: "application"

Insert: "for a reserved license under subsection (1)"

12. Page 2, line 20.

Strike: "other"

Strike: "of" through "87-2-102," on line 21

Insert: "sponsor"

13. Page 3.

Following: line 6

Insert: "(3) The certificate signed by the resident sponsor pursuant to subsection (2) must also affirm that the sponsor is a landowner and that the applicant under the certificate will hunt only on land owned by the sponsor."

Renumber: subsequent subsection

14. Page 3, line 7.

Strike: "offer the"

Insert: "make the reserved"

15. Page 3, line 8.

Strike: "May 1"

Insert: "April 15 available"

16. Page 3, line 10.

Strike: "These" through "sold." on line 12

Insert: "(5) All Class B-10 and Class B-11 licenses not reserved under subsection (1) and all unsold reserved licenses available under subsection (4) must be issued by a drawing among all applicants for the respective unreserved licenses."

17. Page 4, line 7.

Strike: "administrative regions 4, 5, 6, and 7"

Insert: "the state"

18. Page 4, line 14.

Strike: "part 1,"

And, as amended, do pass. Report adopted.

HB 568, introduced bill, be amended as follows:

1. Title, line 5.

Following: "PARKS"

Insert: ", IN COOPERATION WITH THE NATIONAL PARK SERVICE,"

2. Page 1, line 11.

Strike: "The department" on line 11 through "Montana" on line 15

Insert: "The department shall cooperate with the national park service in its attempts to seek other methods of controlling, as soon as possible, the migration of wild buffalo into Montana"

3. Page 1, line 15.

Strike: "must"

Insert: "may"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 104, do not pass. Representative Vincent moved that consideration of HB 104 be passed until the 41st day, due to a family emergency of Representative Daily, the sponsor. Motion carried.

HUMAN SERVICES AND AGING (Gould, Chairman):

2/19/87

HB 825, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "PROHIBITING"

Insert: "ALLOWING"

Strike: "FROM CONTRACTING"

Insert: "TO CONTRACT"

2. Page 2, line 15.

Strike: "Prohibited"

Insert: "Legal assistance"

3. Page 2, line 16.

Strike: "not"

And, as amended, do pass. Report adopted.

JUDICIARY (Lory, Chairman):

2/19/87

HB 78, introduced bill, be amended as follows:

1. Title, line 6.

Following: "COMPENSATION"

Insert: "LUMP-SUM"

2. Page 2, line 1.

Strike: "Payments"

Insert: "A lump-sum payment"

Strike: "section are"

Insert: "chapter is"

3. Page 2, lines 2 through 11.

Strike: "as" on line 2 through "payment" on line 11

Insert: "by the Title IV-D agency under the federal Social Security Act in the amount that part of a lump sum is specifically granted for the payment of past-due child support"

And, as amended, do pass. Report adopted.

HB 167, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "ALL"

Insert: "CONTRACT"

2. Title, line 7.

Strike: "FROM PHYSICAL CONTACT OR THREAT OF PHYSICAL CONTACT"

Insert: "TO THE PLAINTIFF"

3. Page 1, line 11.

Following: "prohibited"

Insert: "in contract actions"

4. Page 1, line 12.

Strike: ", whether"

Strike: "or"

5. Page 1, line 13.

Strike: "otherwise"

6. Page 1, lines 17 through 19.

Strike: "or injured" on line 17 through "contact" on line 19

And, as amended, do pass. Report adopted.

HB 284, introduced bill, be amended as follows:

1. Page 1, line 19.

Strike: "for the first or second time"

2. Page 1, line 21.

Strike: "6 months"

Insert: "5 days"

3. Page 1, lines 21 through 25.

Strike: "On a" on line 21 through "or both." on line 25

4. Page 2, line 4.

Following: "custody"

Insert: "without the written consent of the custodial parent"

5. Page 2, line 8.

Strike: "\$3,000"

Insert: "\$1,000"

6. Page 2, line 9.

Strike: "2 years"

Insert: "18 months"

And, as amended, do pass. Report adopted.

HB 316, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND"

2. Title, line 9.

Following: "MCA"

Insert: ", PROVIDING FOR A REPORT TO THE LEGISLATURE;
AND INCLUDING A SUNSET PROVISION"

3. Page 5, lines 10 through 15.

Strike: "No person" on line 10 through "part." on line 15

4. Page 9, line 20.

Following: "53-21-121(1)(b)."

Insert: "(6) No person may be involuntarily committed to a mental health facility or detained for evaluation and treatment because he

is an epileptic, mentally deficient, mentally retarded, senile, or suffering from a mental disorder unless the condition causes him to be seriously mentally ill within the meaning of this part."

5. Page 26.

Following: line 1

Insert: "NEW SECTION. Section 16. Report to legislature. The mental disabilities board of visitors shall report to the 51st legislature on the effects of this act, including the effects on the treatment and rights of the mentally ill and the seriously mentally ill and the procedures established by this act, and shall include in the report any recommendations it may have.

NEW SECTION. Section 17. Extension of authority. Any existing authority of the department of institutions or the mental disabilities board of visitors to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 18. Termination. This act terminates July 1, 1989."

And, as amended, do pass. Report adopted.

HB 400, introduced bill, be amended as follows:

1. Title, lines 4 through 9.

Strike: "TO REQUIRE" on line 4 through "MONTANA" on line 9

Insert: "PROVIDING THAT AN OWNER, LESSEE, MANAGER, OR OTHER PERSON HAVING THE RIGHT TO SELL, LEASE, OR RENT A HOUSING ACCOMMODATION OR IMPROVED OR UNIMPROVED PROPERTY MAY REFUSE TO MAKE THE HOUSING ACCOMMODATION OR PROPERTY AVAILABLE TO A PERSON OR PERSONS WITH A CHILD OR CHILDREN; AMENDING SECTION 49-2-305, MCA"

2. Pages 1 and 2.

Strike: "49-2-204" on lines 13 of page 1 through line 13, page 2

Insert: "Section 1. Section 49-2-305, MCA, is amended to read:

"49-2-305. Discrimination in housing. (1) Except when the distinction is based on reasonable grounds, it is an unlawful discriminatory practice for the owner, lessee, manager, or other person having the right to sell, lease, or rent a housing accommodation or improved or unimproved property:

(a) to refuse to sell, lease, or rent the housing accommodation or property to a person because of sex, race, creed, religion, color, age, physical or mental handicap, or national origin;

(b) to discriminate against a person because of sex, race, creed, religion, age, physical or mental handicap, color, or national origin in a term, condition, or privilege relating to the use, sale, lease, or rental of the housing accommodation or property;

(c) to make a written or oral inquiry or record of the sex, race, creed, religion, age, physical or mental handicap, color, or national origin of a person seeking to buy, lease, or rent the housing accommodation or property; or

(d) to refuse to negotiate for a sale or to make a housing accommodation or property unavailable because of sex, race, creed, religion, age, physical or mental handicap, color, or national origin.

(2) A private residence designed for single-family occupancy in which sleeping space is rented to guests and in which the landlord also resides is excluded from the provisions of subsection (1).

(3) It is also an unlawful discriminatory practice to make, print, or publish or cause to be made, printed, or published any notice, statement, or advertisement that indicates any preference, limitation, or discrimination that is prohibited by subsection (1) or any intention to make or have such a preference, limitation, or discrimination.

(4) This section does not prohibit an owner, lessee, manager, or other person having the right to sell, lease, or rent a housing accommodation or improved or unimproved property from refusing to sell, lease, or rent such property to a person or persons with a child or children.”

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 592, introduced bill, be amended as follows:

1. Title, line 8.

Strike: “IMMEDIATE”

2. Page 3, line 6.

Following: “statute.”

Insert: “Nothing in this section affects the rights of any person to bring an action as permitted by 33-18-201 or the Uniform Commercial Code.”

3. Page 3, line 10.

Strike: “passage and approval”

Insert: “July 1, 1987”

And, as amended, do pass. Report adopted.

HB 696, do pass. Report adopted.

HB 737, do pass. Report adopted.

HB 740, introduced bill, be amended as follows:

1. Page 2, line 25 and line 1, page 3.

Strike: “on or” on page 2, line 25 through “is paid” on line 1, page 3

Insert: “in the manner provided in 15-1-504”

And, as amended, do pass. Report adopted.

HJR 21, do pass. Report adopted.

Adverse Committee Reports

HB 371, do not pass. Chairman Lory moved to adopt the committee report. Representative Addy made a substitute motion that the adverse committee report be rejected and the bill be printed and placed on second reading. After much debate, Representative Rapp-Svrcek moved the previous question. Motion carried. (58-36)

The Addy motion failed. (25-69)

The adverse committee report was adopted as follows:

Ayes: Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellison, Eudaily, Fritz, Glaser, Grady, Grinde, Hannah, Hansen, Hanson,

Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Russell, Sales, Schye, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Mr. Speaker.

Total 76

Noes: Addy, Asay, Cobb, Corne', Donaldson, Giacometto, Gilbert, Gould, Kitselman, Lory, Mercer, Pavlovich, Pistoria, Roth, Sands, Spaeth, Squires, Vincent.

Total 18

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: Cody.

Total 1

NATURAL RESOURCES (Jones, Chairman):

2/19/87

HB 642, introduced bill, be amended as follows:

1. Title, line 17.

Following: "DEADLINES"

Insert: "FOR RESERVATIONS BELOW FORT PECK DAM"

2. Title, lines 20 and 21.

Strike: "REPEALING SECTION 85-2-317, MCA;"

3. Page 13, line 23.

Strike: "1991"

Insert: "1989, except that applications for reservation of water below Fort Peck dam must be filed no later than July 1, 1991"

4. Page 14, line 3.

Following: "(3)"

Insert: "(a)"

Strike: "1993"

Insert: "1991"

5. Page 14, line 5.

Strike: "1991"

Insert: "1989"

6. Page 14, line 6.

Following: "basin"

Insert: "above Fort Peck dam"

7. Page 14.

Following: line 6

Insert: "(b) Before December 31, 1993, the board shall make a final determination in accordance with 85-2-316 on all applications filed before July 1, 1991, for reservations of water in the Missouri River basin below Fort Peck dam.

(c) The board shall determine which applications or portions of applications are considered to be above or below Fort Peck dam."

8. Page 20, lines 18 and 19.

Strike: section 10 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 729, introduced bill, be amended as follows:

1. Title, line 7.
Strike: "IMMEDIATE"
2. Page 5, line 5.
Strike: "on passage and approval"
Insert: "July 1, 1987"

Committee attached the following statement of intent:

Statement of Intent
HB 729

It is the intent of the legislature that the department of health and environmental sciences adopt rules to specify that the public hearing requirements provided for in section 1 apply to the owner or manager of a proposed commercial facility for the storage, collection, or transfer of hazardous waste. It is the intent of the legislature that the rules apply equally to facilities subject to permitting under 75-10-406 and to facilities exempt from permitting by virtue of operational characteristics.

And, as amended, do pass. Report adopted.

HB 750, introduced bill, be amended as follows:

1. Title, line 9.
Strike: "IMMEDIATE"
Insert: "CONTINGENT"

2. Page 2, line 5.
Following: "chemicals"
Insert: ":

(i)"

3. Page 2, line 7.
Strike: "or" through "distributor"
4. Page 2, lines 9 and 10.
Strike: "distributes" on line 9 through "and" on line 10
5. Page 2, line 11.
Following: "chemicals"
Insert: " ; or

(ii) at a facility of a distributor, so long as existing labels are not removed or defaced and the employer distributes material safety data sheets as required under 50-78-203(1)"

6. Page 6, line 13.
Strike: "passage and approval"
Insert: "implementation of the provisions of the federal Emergency Planning and Community Right-to-Know Act of 1986 in Montana"

And, as amended, do pass. Report adopted.

RULES (Hannah, Chairman):

2/19/87

HB 702, introduced bill, be amended as follows:

1. Title, line 9.
Following: "DATE"
Insert: "AND A TERMINATION DATE"
2. Page 2, line 7.

Following: "commission."

Strike: "The" through "meeting." on line 8

3. Page 2, line 15.

Following: "Staff"

Strike: "and facilities" through "staff." on line 24

Insert: "The legislative agencies, as deemed appropriate by the commission, shall provide staff and services to perform research and to coordinate the work of the commission."

4. Page 3, line 21.

Following: "1988"

Insert: ", or to any special session of the legislature prior to December 1, 1988"

5. Page 4, line 6.

Following: "date"

Strike: "."

Insert: "and termination date. (1)"

6. Page 4.

Following: line 7

Insert: "(2) This act terminates on December 31, 1988."

And, as amended, do pass. Report adopted.

HB 731, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "MEMBERSHIP AND"

2. Title, line 9.

Strike: "5-11-101,"

3. Title, line 10.

Strike: "5-13-302, 5-13-303,"

4. Page 1, line 16 through page 2, line 6.

Strike: section (1) in its entirety

Renumber: subsequent sections

5. Page 2, line 15.

Strike: "The"

Insert: "Except as provided in subsection (3), the"

6. Page 3.

Following: line 24

Insert: "(3) The legislative council may not approve or disapprove the performance of any postaudit duties provided by law to be performed by the legislative auditor or supervised by the legislative audit committee, and shall provide support for such activities as determined necessary by the legislative audit committee. The legislative council and the legislative audit committee shall develop procedures to ensure the independence of audits performed by the legislative auditor as required by law."

7. Page 6.

Following: line 23

Strike: sections (7) and (8) in their entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 29, introduced bill, be amended as follows:

1. Title, line 4.

Following: "TRANSFERRING"

Insert: "STATE"

2. Title, line 5.

Following: "RECORDS"

Strike: "OF" through "LANDS"

3. Title, lines 5 and 6.

Strike: "AND" on line 5 through "AGENCIES" on line 6

4. Title, line 7.

Strike: "TRANSFERRING"

Insert: "REQUIRING THE DEPARTMENT OF STATE LANDS
TO TRANSFER"

5. Title, lines 7 and 8.

Strike: "FROM" on line 7 through "OF STATE" on line 8

6. Title, lines 11 and 12.

Strike: "PROVIDING" on line 11 through "FILING" on line 12

Insert: "REQUIRING STATE AGENCIES TO FILE"

7. Title, line 13.

Following: ","

Insert: "GRANTING RULEMAKING AUTHORITY TO THE
DEPARTMENT OF STATE LANDS;"

8. Page 1, lines 21 through 23.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

9. Page 1, line 25.

Following: "signifying"

Insert: "state"

10. Page 1, line 25 through line 1, page 2.

Strike: "of" on line 25, page 1 through "land" on line 1, page 2

Insert: "or other interest in real property"

11. Page 2, line 5.

Following: "of"

Insert: "fee simple"

12. Page 2, line 14.

Strike: "·"

13. Page 2, line 15.

Strike: "(1)"

Insert: "all"

Strike: "of state lands"

Insert: "on file in his office"

14. Page 2, line 16.

Strike: "·"

Insert: "·"

15. Page 2, line 17.

Strike: "(2)"

Insert: "The department of state lands shall further transfer the"

16. Page 2, line 18.

Strike: "or" through "construction"
Insert: "rights-of-way and maintenance"

17. Page 2, line 19.

Strike: ".,"

18. Page 2, line 20.

Strike: "(3)"

Strike: "conveyance"

Insert: "ownership"

Following: "records"

Insert: ", other than those of state lands,"

19. Page 2, line 22.

Strike: "the conveyance"

Insert: "such records"

20. Page 2, lines 23 through 24.

Strike: "Acquisition" on line 23 through "department" on line 24

Insert: "Filing of ownership records"

21. Page 3, line 1.

Following: "records"

Insert: "of state lands"

22. Page 3, lines 1 through 4.

Strike: "Acquisition" on line 1 through "." on line 4

23. Page 3, line 10.

Following: ".,"

Insert: "(1)"

Strike: ".,"

24. Page 3, line 11.

Strike: "(1)"

25. Page 3, line 17.

Strike: ".,"

Insert: ".,"

26. Page 3, line 18.

Following: "(2)"

Insert: "To the extent feasible within available funding and personnel,
the department shall:

(a)"

27. Page 3, line 20.

Strike: "(3)"

Insert: "(b)"

28. Page 3, line 24.

Strike: "or" through "construction"

Insert: "rights-of-way and maintenance"

29. Page 4, line 1.

Strike: "on" through "basis"

Insert: "for administrative purposes"

30. Page 4.

Following: line 1

Insert: "NEW SECTION. Section 7. Rules. The department of state
lands may adopt rules for implementing and administering [sections
1 through 6] concerning transfer and filing of ownership records."

Renumber: subsequent sections

31. Page 8, line 19.

Strike: "6"

Insert: "7"

32. Page 8, line 21.

Strike: "6"

Insert: "7"

Committee attached the following statement of intent:

Statement of Intent

HB 29

A statement of intent is required for this bill because it grants rule-making authority to the department of state lands to implement and administer the transfer and filing of ownership records of state lands.

Currently, certain records regarding state ownership of land are held by the secretary of state. This bill requires the secretary of state to transfer these records to the department of state lands by November 1, 1987. It further requires the department of state lands to transfer records of land held or administered by the department of highways for highway rights-of-way and maintenance to that department. Finally, the bill requires the department of state lands to transfer any remaining ownership records, other than those of state lands, to the state agency administering the interest or property described in such records.

The legislature intends that the department of state lands be the sole repository for records of all state lands owned by virtue of fee simple title, grant, or deed except for land specifically excluded under the bill. State land with buildings attached to it and used by the department of highways for maintenance must be recorded on records maintained by the department of state lands.

It is intended that the department of state lands may adopt rules to specify which records will be kept by the department and which records will be transferred to other agencies, including records of lesser interests such as leases. In addition, it is intended that the rules clarify which records must be filed in the future with the department of state lands and specify the format that the records must follow to ensure a reliable and uniform body of records and index as required under section 5.

And, as amended, do pass. Report adopted.

HB 708, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Strike: "ABOLISHING" on line 5 through ";" on line 6

2. Page 2.

Following: line 5

Insert: "(k) State general election day;"

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 721, do pass. Report adopted.

HB 747, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent

HB 747

A statement of intent is required for this bill because it grants the secretary of state authority to adopt rules to assure accessibility at the polling

place for handicapped and elderly voters. Such rules must be adopted under the Montana Administrative Procedure Act and must be consistent with the provisions of this act.

It is the intent of the legislature that the secretary of state adopt rules to establish standards that a polling place must meet in order to be designated accessible under this act. Wherever possible, these standards should be consistent with the standards established by the American National Standards Institute and the Uniform Federal Accessibility Standards.

In addition, it is intended that the secretary of state establish polling place classifications and survey procedures to determine whether polling places are accessible to handicapped and elderly voters. The secretary of state should also define the basis for an emergency exemption under section 8, which allows an election administrator to relocate an established polling place within 10 days prior to an election.

Finally, it is contemplated that the secretary of state establish procedures to allow an elector to vote on election day by alternative means if he is prevented from voting at his assigned polling place because it is inaccessible.

HB 755, do pass. Report adopted.

Adverse Committee Reports

HB 753, do not pass.

HJR 29, do not pass.

TAXATION (Ramirez, Chairman):

2/18/87

Adverse Committee Reports

HB 547, Statement of Intent attached, do not pass. Chairman Ramirez moved to adopt the committee report. Representative Vincent made a substitute motion that consideration of HB 547 be passed for the day due to the illness of the sponsor, Representative Moore. Motion carried.

HB 572, do not pass. Chairman Ramirez moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bradley, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Meyers, Miles, Nathe, Nelson, Patterson, Peck, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Mr. Speaker.

Total 68

Noes: Bachini, Brandewie, D. Brown, Campbell, Cobb, Giacometto, Glaser, Hannah, Harp, Harrington, Jenkins, Koehnke, Menahan, Mercer, Miller, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Roth, Sales, Strizich, Vincent.

Total 26

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: Bardanouve.

Total 1

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks

February 19, 1987

Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 184 and 204 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bill not concurred in and returned to the House: 2/13/87

HB 214, introduced by J. Brown

House bills concurred in and returned to the House: 2/18/87

HB 203, introduced by Spaeth

HB 310, introduced by Kitselman

HB 391, introduced by Thoft

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 2/18/87

HB 88, introduced by Manuel

HB 126, introduced by Harper

MOTIONS

Representative Donaldson moved that consideration of HB 340 be passed for the day, because the expert, Representative Eudaily, had been ill, and they needed him to go over some amendments. Motion carried.

Representative Wallin moved that HB 813 be taken from the Committee on Local Government and rereferred to the Committee on Taxation. Motion carried.

Representative Nathe moved that consideration of HB 603 be passed until the 48th legislative day, because this library bill is a revenue measure and can wait until after transmittal deadline. Motion carried.

Representative Pavlovich moved that consideration of HB 38 be passed until the 41st legislative day, because they are still waiting for some necessary information. Motion carried.

Representative Pistoria moved the House reconsider its action in failing to pass HB 565 on second reading the previous day. Motion carried. (54-38)

Representative Pistoria moved that HB 565 be placed on second reading this day. Motion failed.

Representative Kitselman moved that HB 817 be taken from printing and rereferred to the Committee on Taxation, because this bill, known as the Westwood bill, had tax considerations. Motion carried.

Representative Peck moved that HB 324 be taken from the table in the Committee on Education and be printed and placed on second reading.

This bill deals with funding mechanism for special education. After much debate, Representative Harp moved the previous question. Motion carried. The Peck motion failed. (34-57)

Representative Cohen moved that Driscoll, Raney, Nisbet, Strizich, Miles, Kadas, Moore, Harrington, McCormick, O'Connell, Hansen, Squires, Pistoria, Whalen, Vincent, Russell, Kennerly, Bulger, Schye, Harper, and Walker be added as sponsors to HB 828. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 836, introduced by Nathe, Peck, (By Request of the House Appropriations Committee). Referred to Committee on Appropriations.

HB 837, introduced by Jenkins. Referred to Committee on Agriculture.

HB 838, introduced by D. Brown, (By Request of the Department of Commerce). Referred to Committee on Appropriations.

HJR 36, introduced by Swift, Nathe, Spaeth, Manuel, Boylan, (By Request of the House Appropriations Committee). Referred to Committee on Agriculture.

HJR 37, introduced by Glaser, Cohen, McCormick, Grinde, C. Smith, Swysgood, Brandewie, Jones, Simon, Hansen, Wallin, Thomas, Kitselman, J. Brown, (By Request of the House Committee on Business and Labor). Referred to Committee on Business and Labor.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Mercer in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 581 - Representative Donaldson moved that HB 581, second reading copy, be amended as follows:

1. Page 2, lines 12 through 16.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Compton, Connelly, Devlin, Donaldson, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 69

Noes: Addy, D. Brown, Bulger, Cody, Cohen, Corne', Darko, Driscoll, Ellison, Fritz, Hansen, Keenan, Kennerly, Nisbet, Pavlovich, Quilici, Raney, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen.

Total 25

Paired: Winslow, Aye; Addy, No.

Excused: Daily, DeMars, Moore, Ream.

Total 4

Absent or not voting: Harper, Manuel.

Total 2

Representative McCormick moved that HB 581, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 86

Noes: Campbell, Devlin, Hayne, Sands, Stratford, Switzer, Swysgood.

Total 7

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: Nathe, Williams.

Total 2

HB 727 - Representative Hannah moved that consideration of HB 727 be passed for the day due to the absence of the sponsor, Representative Winslow. Motion carried.

HB 30 - Representative Kitselman moved that the Governor's amendments to HB 30 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 90

Noes: Hannah, Switzer.

Total 2

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: McCormick, Sands, Mr. Speaker.

Total 3

HB 300 - Representative Fritz moved that HB 300, second reading copy, be amended as follows:

1. Page 6, line 19.

Strike: "EVALUATION"

Insert: "investigation"

2. Page 6, line 20.

Strike: "BEGINNING"

Insert: "On"

Strike: "1991"

Insert: "1990"

3. Page 6, line 21.

Strike: "BIENNIAL"

Insert: "teachers' retirement board shall make an"

Strike: "VALUATION"

Insert: "investigation"

4. Page 6, line 22.

Strike: "MUST" through "OF"

Insert: "to determine"

5. Page 7, line 3.

Following: " "

Insert: "The board shall report its findings to the 52nd legislature."

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.
Total 87

Noes: Asay, Hannah, Kadas.

Total 3

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: Gould, Poulsen, Sands, Smith, Mr. Speaker.

Total 5

Representative Lory moved that HB 300, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nelson, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 72

Noes: Bachini, Bardanouve, Cobb, Ellison, Eudaily, Glaser, Hanson, Hoffman, Jenkins, Koehnke, Menahan, Nathe, Nisbet, Patterson, Peck, Peterson, Poulsen, Simon, Swift, Thoft, Thomas.

Total 21

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: Cohen, Smith.

Total 2

HB 313 - Representative Pavlovich moved that HB 313 do pass. After debate, Representative Simon made a substitute motion that HB 313 be placed at the bottom of the second reading board. Motion failed.

HB 313 failed to pass. (24-72)

Representative Hannah moved that HB 313 do not pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Harp, Harper, Hayne, Hoffman, Holliday, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Nelson, Nisbet, Patterson, Peck, Peterson, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 73

Noes: Addy, D. Brown, Cody, Compton, Fritz, Gould, Hanson, Harrington, Iverson, Jones, Miller, Nathe, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Smith, Stratford, Strizich, Swysgood, Thomas.

Total 22

Paired: Ream, Winslow, Ayes; Cody, Pavlovich, Noes.

Excused: Daily, DeMars, Moore.

Total 3

Absent or not voting: Menahan, Quilici.

Total 2

HB 322 - Representative Eudaily moved that HB 322 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 83

Noes: D. Brown, Campbell, Devlin, Gilbert, Gould, Iverson, Jenkins, Phillips, Poff, Stang, Swysgood.

Total 11

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: Bardanouve.

Total 1

HB 397 - Representative Spaeth moved that HB 397, second reading copy, be amended as follows:

1. Page 6.

Following: line 13

Insert: "The notice must inform the property owners that they have certain rights concerning the location of the facility and that more information concerning their rights can be obtained from the department or the applicant."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Mr. Speaker.

Total 89

Noes: Bardanouve, Whalen.

Total 2

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: Hannah, Harrington, McCormick, Thomas.

Total 4

Representative Spaeth moved that HB 397, second reading copy, be further amended as follows:

1. Page 4, line 21.

Strike: "OWNERS OF"

Insert: "more than 25% of the owners owning"

Amendment passed as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 88

Noes: Bachini, Bardanouve, Darko, Miles, Peck, Sales, Whalen.

Total 7

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

Representative Spaeth moved that HB 397, as amended, do pass.

Representative Switzer excused at this time.

Representative Bardanouve made a substitute motion that HB 397, as amended, do not pass. Motion failed. (30-65)

HB 397, as amended, passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Cody, Compton, Corne', Daily, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin, Williams, Mr. Speaker.

Total 65

Noes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cohen, Connelly, Darko, Driscoll, Fritz, Hansen, Harper, Kadas, Keenan, Kennerly, Miles, Nisbet, Peck, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Strizich, Thoft, Vincent, Whalen.

Total 30

Paired: Daily, Menahan, Switzer, Ayes; Addy, Darko, Ream, Noes.

Excused: DeMars, Moore, Winslow.

Total 3

Absent or not voting: D. Brown, Poulsen.

Total 2

HB 449 - Representative Marks moved that HB 449 do pass. Representative Kadas made a substitute motion that HB 449, second reading copy, be amended as follows:

1. Page 3.

Following: line 6

Insert: "Whenever possible, preference should be given to investments in those venture capital companies which demonstrate an interest in making investments in Montana."

Amendment passed as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Hansen, Hanson, Harper, Hoffman, Holliday, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Menahan, Mercer, Meyers, Miles, Nathe, Nisbet, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 64

Noes: Asay, Brandewie, Campbell, Compton, Devlin, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Harp, Hayne, Iverson, Jenkins, Keller, Kitselman, Manuel, Miller, Nelson, Patterson, Peterson, Poulsen, Swift, Thoft, Wallin.

Total 27

Paired: Ream, Aye; Hannah, No.

Excused: Daily, DeMars, Moore, Switzer, Winslow.

Total 5

Absent or not voting: Bardanouve, Harrington, Menke, O'Connell.

Total 4

HB 449, as amended, passed as follows:

Ayes: Addy, Asay, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 78

Noes: Bachini, Cobb, Cody, Hansen, Harrington, Raney, Schye, Squires, Whalen.

Total 9

Paired: Winslow, Aye; Schye, No.

Excused: Daily, DeMars, Moore, Ream, Switzer.

Total 5

Absent or not voting: Bardanouve, D. Brown, Harp, McCormick, Menke, Russell, Strizich, Mr. Speaker.

Total 8

Representative Donaldson excused at this time.

HB 503 - Representative Bradley moved that HB 503 do pass. Motion carried as follows:

Ayes: Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Darko, Driscoll, Eudaily, Fritz, Glaser, Gould, Grady, Hansen, Hanson, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 66

Noes: Addy, Bachini, Campbell, Cohen, Devlin, Ellison, Gilbert, Grinde, Hannah, Harp, Hayne, Hoffman, Kitselman, Koehnke, McCormick, Miles, Nathe, Nelson, Peterson, Ramirez, Rehberg, Swift, Whalen.

Total 23

Paired: Winslow, Aye; Addy, No.

Excused: Daily, DeMars, Donaldson, Moore, Ream, Switzer.

Total 6

Absent or not voting: Bardanouve, Giacometto, Harper, Lory, O'Connell.

Total 5

HB 511 - Representative Sands moved that HB 511, second reading copy, be amended as follows:

1. Page 2, line 22.

Following: "APPROPRIATE"

Insert: "at least one-half of"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Driscoll, Ellison, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 85

Noes: Eudaily.

Total 1

Excused: Daily, DeMars, Donaldson, Moore, Ream, Switzer, Winslow.

Total 7

Absent or not voting: Bardanouve, D. Brown, Giacometto, Harper, Lory, Nisbet, O'Connell.

Total 7

Representative Driscoll moved that HB 511, as amended, do pass.

Representative Hannah made a substitute motion that HB 511, second reading copy, be further amended. Amendment failed. (41-50)

HB 511, as amended, passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 81

Noes: Giacometto, Gilbert, Hayne, Menke, Nathe, Peck, Sales, Swift, Swysgood, Thoft.

Total 10

Excused: Daily, DeMars, Donaldson, Moore, Ream, Switzer, Winslow.

Total 7

Absent or not voting: Bardanouve, Devlin.

Total 2

HB 558 - Representative Gould moved that HB 558 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Daily, DeMars, Donaldson, Moore, Ream, Switzer, Winslow.

Total 7

Absent or not voting: Bardanouve, Harrington.

Total 2

Representative Switzer present at this time.

HB 576 - Representative Eudaily moved that HB 576 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Darko, Driscoll, Eudaily, Fritz, Grady, Hansen, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poulsen, Quilici, Raney, Rapp-Svrcek, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Thomas, Vincent, Whalen, Williams, Winslow.

Total 60

Noes: Asay, Campbell, Cohen, Devlin, Ellison, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Harper, Hoffman, Jenkins, Jones, Kadas, Koehnke, Meyers, Nathe, Patterson, Phillips, Poff, Ramirez, Rehberg, Sales, Sands, Smith, Swift, Switzer, Swysgood, Thoft, Wallin, Mr. Speaker.

Total 33

Paired: Winslow, Aye; Hannah, No.

Excused: Daily, DeMars, Donaldson, Moore, Ream.

Total 5

Absent or not voting: Bardanouve, Peterson.

Total 2

HB 580 - Representative Swysgood moved that HB 580 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones,

Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 83

Noes: Devlin, Grinde, Nathe, Spaeth, Switzer.

Total 5

Excused: Daily, DeMars, Donaldson, Moore, Ream, Winslow.

Total 6

Absent or not voting: Bardanouve, D. Brown, Harper, Harrington, Peterson, Mr. Speaker.

Total 6

HB 598 - Representative Rapp-Svrcek moved that HB 598 do pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 87

Noes: Gilbert, Whalen.

Total 2

Excused: Daily, DeMars, Donaldson, Moore, Ream, Winslow.

Total 6

Absent or not voting: Bardanouve, Miller, O'Connell, Peterson, Switzer.

Total 5

HB 605 - Representative J. Brown moved that HB 605 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Daily, DeMars, Donaldson, Moore, Ream, Winslow.

Total 6

Absent or not voting: Bardanouve, Peterson.

Total 2

HB 661 - Representative Spaeth moved that HB 661, second reading copy, be amended as follows:

1. Page 2, line 16.

Strike: "TEAM"

Insert: "supervisors"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams.

Total 88

Noes: Raney, Vincent.

Total 2

Excused: Daily, DeMars, Donaldson, Moore, Ream, Winslow.

Total 6

Absent or not voting: Bardanouve, D. Brown, Peterson, Mr. Speaker.

Total 4

Representative Spaeth moved that HB 661, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Mr. Speaker.

Total 84

Noes: Peck, Raney, Strizich, Vincent.

Total 4

Excused: Daily, DeMars, Donaldson, Moore, Ream, Winslow.

Total 6

Absent or not voting: Bardanouve, D. Brown, Gould, Nathe, Peterson, Whalen.

Total 6

Representative Simon in the Chair.

HB 699 - Representative Cohen moved that HB 699, second reading copy, be amended as follows:

1. Title, line 5.

Following: "EXCLUDE"

Insert: "ADVERTISING MEDIA"

2. Page 3, line 10.

Strike: "MEDIUM"

Insert: "media"

3. Page 3, lines 11 and 12.

Strike: "from" through "Act" on line 12

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Miller, Nathe, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 78

Noes: Campbell, Driscoll, Kadas, Menke, Nelson, Nisbet, Sales, Squires.

Total 8

Excused: Daily, DeMars, Donaldson, Moore, Ream, Winslow.

Total 6

Absent or not voting: Bardanouve, Gilbert, Hansen, Hayne, Kitselman, Mercer, Pavlovich, Peterson.

Total 8

Representative Mercer in the Chair.

Representative Wallin moved that HB 699, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Corne', Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 79

Noes: D. Brown, Darko, Driscoll, Hansen, Harper, Keenan, McCormick, Nisbet, Raney, Russell, Spaeth, Squires.

Total 12

Paired: Donaldson, Aye; Squires, No.

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: Bardanouve, Bulger, Cobb, Strizich.

Total 4

HB 706 - Representative D. Brown moved that HB 706 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 91

Noes: Lory, Sales.

Total 2

Excused: Daily, DeMars, Donaldson, Moore, Ream, Winslow.

Total 6

Absent or not voting: Bardanouve.

Total 1

HJR 10 - Representative Sands moved that HJR 10 do pass. After debate, Representative Keenan made a substitute motion that HJR 10, second reading copy, be amended. Amendment failed. (46-53)

Representative Addy made a substitute motion that HJR 10, second reading copy, be amended as follows:

1. Page 1, line 14.

Strike: "Congress is"

Insert: "The President and Congress are"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Darko, Driscoll, Ellison, Eudaily, Fritz, Hannah, Hansen, Harper, Harrington, Holliday, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 65

Noes: Brandewie, Campbell, Cobb, Compton, Daily, DeMars, Devlin, Donaldson, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Kitselman, Lory, Menke, Miller, Moore, Patterson, Phillips, Ramirez, Ream, Smith, Stratford, Swift, Switzer, Swysgood, Mr. Speaker.

Total 35

Paired: Asay, Keller, Peterson, Rehberg, Winslow, Ayes; Daily, DeMars, Donaldson, Moore, Ream, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 10, as amended, passed as follows:

Ayes: Asay, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thomas, Winslow, Mr. Speaker.

Total 52

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Thoft, Vincent, Wallin, Whalen, Williams.

Total 48

Paired: Asay, Keller, Peterson, Rehberg, Winslow, Ayes; Daily, DeMars, Donaldson, Moore, Ream, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 27 - Representative Phillips moved that HJR 27 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, Bulger, Campbell, Compton, Daily, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Mr. Speaker.

Total 67

Noes: Bardanouve, Bradley, J. Brown, Cody, Cohen, Connelly, Corne', Darko, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Koehnke, Menahan, Miles, Moore, Peck, Poff, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Whalen, Williams.

Total 30

Paired: Daily, Donaldson, Hannah, Ramirez, Ayes; Harper, Moore, Rapp-Svrcek, Ream, Noes.

Excused: DeMars, Winslow.

Total 2

Absent or not voting: Cobb.

Total 1

HJR 28 - Representative Driscoll moved that HJR 28 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Darko, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cody, Keenan.

Total 2

Paired: Winslow, Aye; Keenan, No.

Excused: Daily, DeMars, Donaldson, Moore, Ream.

Total 5

Absent or not voting: None.

Total 0

Representative Donaldson present at this time.

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Mercer moved the adoption of the committee report. Report adopted. (70-25)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 236 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: Gilbert.

Total 1

HB 246 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 91

Noes: Gould.

Total 1

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: Gilbert, Poulsen, Schye.

Total 3

HB 327 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Glaser, Harp, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 56

Noes: Bachini, J. Brown, Campbell, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Ramirez, Rehberg, Roth, Sales, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 43

Paired: Daily, DeMars, Moore, Ream, Ayes; Gilbert, Gould, Hannah, Kitselman, Noes.

Excused: Winslow.

Total 1

Absent or not voting: None.

Total 0

HB 365 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel,

Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: Hannah.

Total 1

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 416 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 78

Noes: Campbell, Cobb, Devlin, Ellison, Gilbert, Glaser, Hanson, Hoffman, Jenkins, Koehnke, Nathe, Patterson, Sales, Simon, Stang, Swift, Swysgood.

Total 17

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 431 passed as follows:

Ayes: Asay, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Holliday, Jenkins, Jones, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Miller, Nathe, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Rapp-Svrcek, Roth, Sales, Sands, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen.

Total 57

Noes: Addy, Bachini, Bardanouve, Bradley, Cobb, Cohen, Connelly, Corne', Fritz, Gilbert, Grinde, Hansen, Harper, Harrington, Iverson, Kadas, Keenan, Kitselman, Menahan, Meyers, Miles, Moore, Nelson, Nisbet, Peck, Poff, Quilici, Ramirez, Raney, Rehberg, Russell, Schye, Simon, Spaeth, Squires, Vincent, Williams, Mr. Speaker.

Total 38

Paired: DeMars, Aye; Moore, No.

Excused: Daily, Ream, Winslow.

Total 3

Absent or not voting: Hoffman, Smith.

Total 2

HB 501 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: Keenan.

Total 1

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 509 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 587 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel,

Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: Jones.

Total 1

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: Keenan, Quilici.

Total 2

HB 590 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 634 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jones, Keller, Kennerly, Kitselman, Koehnke, McCormick, Mercer, Miller, Nathe, Nelson, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Russell, Sales, Sands, Smith, Spaeth, Stratford, Swift, Switzer, Thomas, Wallin, Whalen, Williams, Mr. Speaker.

Total 56

Noes: Asay, Bradley, D. Brown, Campbell, Cohen, Connelly, Corne', Driscoll, Giacometto, Glaser, Grinde, Hannah, Hansen, Harper, Harrington, Jenkins, Kadas, Keenan, Lory, Manuel, Menahan, Menke, Meyers, Miles, Nisbet, Patterson, Peck, Poulsen, Rapp-Svrcek, Rehberg, Roth, Schye, Simon, Squires, Stang, Strizich, Swysgood, Thoft, Vincent.

Total 39

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 637 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Addy, Bradley, D. Brown, Cohen, Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Moore, Nisbet, Pavlovich, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Strizich, Vincent, Whalen.

Total 30

Paired: Asay, Hannah, Ramirez, Rehberg, Winslow, Ayes; Daily, DeMars, Moore, Ream, Whalen, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 647 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: Cohen, Harrington.

Total 2

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: Asay.

Total 1

HB 664 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones,

Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 92

Noes: Nisbet, Peck, Whalen.

Total 3

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 674 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 679 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 89

Noes: Devlin, Ellison, Hayne, Menke, Sales, Thomas.

Total 6

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 682 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: Jenkins, Raney, Switzer.

Total 3

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 689 passed as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: Bachini, Bardanouve, McCormick.

Total 3

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 690 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff,

Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: Keenan, Miles, Poulsen.

Total 3

HB 691 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 90

Noes: Cohen, Driscoll, McCormick, Nisbet, Whalen.

Total 5

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 697 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 720 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: Raney, Thomas, Vincent.

Total 3

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

HJR 8 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 91

Noes: Giacometto, Gilbert, Hannah, Meyers.

Total 4

Excused: Daily, DeMars, Moore, Ream, Winslow.

Total 5

Absent or not voting: None.

Total 0

MOTIONS

Representative Donaldson moved that HB 581 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 11:00 a.m., February 20, 1987.

Motion carried.

House adjourned at 10:30 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FORTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 20, 1987

House Chambers
State Capitol

House convened at 11:00 a.m., Mr. Speaker in the Chair. Invocation by Representative J. Brown. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley, Bardanouve, DeMars, Fritz, Keenan, Moore, Ream, Thoft, and Williams, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-ninth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 2/20/87

Correctly printed: HB 78, HB 167, HB 284, HB 400, HB 592, HB 702, HB 721, HB 729, HB 750, HJR 32.

Correctly engrossed: HB 300, HB 397, HB 449, HB 581, HB 661, HB 699, HJR 10.

Correctly enrolled: HB 203, HB 310, HB 391.

Delivered to the Governor for his approval at 11:38 a.m.: HB 99, HB 159, HB 251, HB 265, HB 280, HB 299, HB 311, HB 312, HB 360.

FISH AND GAME (Ellison, Chairman): 2/18/87

Adverse Committee Reports

HB 104, do not pass. Chairman Ellison moved to adopt the committee report. Representative Daily made a substitute motion that the adverse committee report be rejected and be printed and placed on second reading. After debate, Representative Switzer moved the previous question. Motion carried. (54-27)

The Daily motion failed. (37-54)

The committee report was adopted as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Ellison, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Miller, Nelson, Patterson, Peterson, Phillips, Poff, Quilici, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Wallin, Mr. Speaker.

Total 55

Noes: Addy, Bachini, D. Brown, J. Brown, Bulger, Corne', Daily, Driscoll, Harper, Harrington, Holliday, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Pistoria, Poulsen, Ramirez, Russell, Schye, Spaeth, Squires, Vincent, Whalen, Winslow.

Total 26

Excused: Bardanouve, Bradley, DeMars, Fritz, Keenan, Moore, Ream, Thoft, Williams.

Total 9

Absent or not voting: Connelly, Eudaily, Gilbert, Hannah, Kadas, Meyers, Nathe, Peck, Strizich, Thomas.

Total 10

STATE ADMINISTRATION (Sales, Chairman):

2/18/87

Adverse Committee Reports

HB 753, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Sands, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Swysgood, Vincent, Whalen, Winslow.

Total 70

Noes: D. Brown, Campbell, Gilbert, Grinde, Jones, Kitselman, Nathe, Peterson, Phillips, Ramirez, Rehberg, Roth, Russell, Sales, Squires, Stratford, Strizich, Thomas, Wallin, Mr. Speaker.

Total 20

Excused: Bardanouve, Bradley, DeMars, Fritz, Keenan, Moore, Ream, Thoht, Williams.

Total 9

Absent or not voting: Ellison.

Total 1

HJR 29, do not pass. Chairman Sales moved to adopt the committee report. Motion carried as follows:

2/19/87

Ayes: Asay, Brandewie, Campbell, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin, Mr. Speaker.

Total 48

Noes: Addy, Bachini, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Driscoll, Harper, Harrington, Holliday, Kadas, Kennerly, Koehnke, Menahan, Miles, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Raney, Rapp-Svrcek, Roth, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Winslow.

Total 42

Excused: Bardanouve, Bradley, DeMars, Fritz, Keenan, Moore, Ream, Thoht, Williams.

Total 9

Absent or not voting: Quilici.

Total 1

TAXATION (Ramirez, Chairman):

2/18/87

Adverse Committee Reports

HB 547, statement of intent attached, do not pass. Chairman Ramirez moved that consideration of HB 547 be passed for the day due to the absence of the sponsor, Representative Moore. Motion carried.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House:

2/19/87

HB 41, introduced by Winslow

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

2/19/87

HB 80, introduced by J. Brown

MOTIONS

Representative Winslow moved that consideration of HB 600 on second reading be passed until the 42nd legislative day. Motion carried.

Representative Donaldson moved that consideration of HB 340 on second reading be passed until the 42nd legislative day, because they were still trying to clean up the language for school funding. Motion carried.

Representatives Miles moved that consideration of HB 492 on second reading be passed for the day because the bill needs amendments. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 839, introduced by Sands. Referred to Committee on Education and Cultural Resources.

HB 840, introduced by Driscoll. Referred to Committee on Appropriations.

HB 841, introduced by Harper, Van Valkenburg. Referred to Committee on Taxation.

HB 842, introduced by Harp, Kadas. Referred to Committee on Taxation.

HB 843, introduced by Hannah. Referred to Committee on Taxation.

HB 844, introduced by Jenkins. Referred to Committee on Appropriations.

HB 845, introduced by Iverson, Bradley, Van Valkenburg, Spaeth, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

HJR 38, introduced by Schye, Driscoll, Manuel, Cody. Referred to Committee on Agriculture.

HJR 39, introduced by Connelly, Menahan, Cody, Miles, Stang, Miller, Switzer, Quilici, Iverson, Devlin, Spaeth, Peck, Bardanouve, Donaldson, O'Connell, Thomas, Manuel, McCormick, Holliday, J. Brown, Whalen, Poff, Harper, Addy, Darko, Raney, Kadas, Nisbet, M. Williams, Keating, Fritz, Keenan, Cohen, Tveit, B. Brown, Jones, Strizich, Keller, Daily, Bulger, Rapp-Svrcek, Schye, Corne', Russell, Haffey, Lybeck, Abrams, Kennerly, Harrington, Manning, Hager, C. Smith, Jergeson, Bishop, E. Smith, Halligan, Harp, Grady, Menke, Ellison, Peterson, Compton, Gilbert, Gould, Grinde, Kitselman, Nelson, Sands, Wallin, Jenkins, Bachini, Patterson, Swift, Simon, Meyers, Brandewie. Referred to Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Thomas and Daily excused at this time.

Representatives Bardanouve, Keenan, and Thoft present at this time.

HB 38 - Representative Pavlovich moved that HB 38 do pass. Motion carried as follows:

Ayes: Asay, D. Brown, Campbell, Cobb, Daily, Darko, Devlin, Driscoll, Ellison, Giacometto, Glaser, Grady, Grinde, Hannah, Hanson, Hayne, Hoffman, Holliday, Jenkins, Jones, Keller, Kitselman, Koehnke, McCormick, Manuel, Menahan, Mercer, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Rehberg, Sales, Sands, Simon, Smith, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Winslow.

Total 51

Noes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Donaldson, Fritz, Gilbert, Gould, Hansen, Harp, Harper, Iverson, Kadas, Keenan, Kennerly, Lory, Menke, Meyers, Miles, Nelson, Peterson, Poulsen, Ramirez, Raney, Rapp-Svrcek, Roth, Russell, Schye, Spaeth, Stang, Strizich, Vincent, Wallin, Whalen.

Total 42

Paired: Daily, Quilici, Thomas, Ayes; Bradley, Fritz, Keenan, Noes.

Excused: DeMars, Moore, Ream, Williams.

Total 4

Absent or not voting: Eudaily, Harrington, Mr. Speaker.

Total 3

HB 189 - Representative Pavlovich moved that HB 189 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 87

Noes: Cobb, Kadas, Sales.

Total 3

Excused: Bradley, Daily, DeMars, Fritz, Moore, Ream, Thomas, Williams.

Total 8

Absent or not voting: Eudaily, Harper.

Total 2

HB 277 - Representative Connelly moved that HB 277, second reading copy, be amended. Amendment failed. (45-45)

Representative Connelly moved that HB 277 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, Donaldson, Driscoll, Glaser, Gould, Hannah, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Spaeth, Squires, Stang, Strizich, Swift, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 62

Noes: D. Brown, Compton, Devlin, Ellison, Giacometto, Gilbert, Grady, Grinde, Hanson, Hayne, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Meyers, Nathe, Patterson, Pavlovich, Phillips, Poff, Sales, Simon, Smith, Stratford, Switzer, Swysgood, Thoft.

Total 29

Excused: Bradley, Daily, DeMars, Fritz, Moore, Ream, Thomas, Williams.

Total 8

Absent or not voting: Eudaily.

Total 1

HB 309 - Representative Quilici moved that HB 309 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 88

Noes: Nathe, Sales.

Total 2

Excused: Bradley, Daily, DeMars, Fritz, Moore, Ream, Thomas, Williams.

Total 8

Absent or not voting: Ellison, Simon.

Total 2

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (81-8)

MOTIONS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House stand in recess until 2:15 p.m. Motion carried.

House recessed at 12:00 noon

House reconvened at 2:30 p.m.

Mr. Speaker in the Chair.

Representative Compton excused at this time.

Representative Cobb moved that HB 463 be taken from the table in the Committee on Appropriations and printed and placed on second reading. After debate, Representative Daily moved the previous question. Motion carried. The Cobb motion passed. (65-24)

Representatives Daily, Fritz, and Bradley present at this time.

Representative Mercer moved the House reconsider its action in adopting the adverse committee report on HB 371. After debate, Representative Iverson moved the previous question. Motion carried. The Mercer motion passed. (51-43)

Representative Addy moved that HB 371 be printed and placed on second reading on the 42nd legislative day. Motion carried. (56-36)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/20/87

Correctly printed: HB 28, HB 29, HB 316, HB 371, HB 379, HB 406, HB 417, HB 429, HB 454, HB 461, HB 464, HB 535, HB 568, HB 635, HB 642, HB 696, HB 708, HB 724, HB 731, HB 737, HB 740, HB 747, HB 755, HB 784, HB 796, HB 803, HB 806, HB 817, HB 825, HJR 21.

Correctly engrossed: HB 189, HB 322, HB 503, HB 511, HB 558, HB 576, HB 580, HB 598, HB 605, HB 706, HJR 27, HJR 28.

Examined by the sponsor and found to be correct:

HB 203 - Spaeth

HB 310 - Kitselman

HB 391 - Thoft

AGRICULTURE, LIVESTOCK AND IRRIGATION (Jenkins, Vice-Chairman):

2/20/87

HB 220, introduced bill, be amended as follows:

1. Page 1.

Following: line 2

Strike: line 3 in its entirety

2. Title, line 5.

Following: "AN ACT"

Insert: "TO GENERALLY REVISE THE AGRICULTURAL SEED LAWS;"

3. Title, line 6.

Following: "RULE"

Strike: "THE"

4. Title, line 8.

Following: ","

Strike: "AND"

Insert: "TO ESTABLISH CERTAIN LICENSING REQUIREMENTS;"

Following: "SECTIONS"

Strike: "80-5-101 AND"

Insert: "80-5-102 THROUGH"

Following: " , "

Insert: "80-5-107 THROUGH 80-5-113, 80-5-202, 80-5-204, 80-5-205, AND 80-5-207,"

Following: "MCA"

Insert: " , REPEALING SECTIONS 80-5-101, 80-5-106, 80-5-201, AND 80-5-203, MCA; AND PROVIDING EFFECTIVE DATES"

5. Pages 1 through 9.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Definitions. As used in this chapter, unless the context requires otherwise, the following definitions apply:

(1) "Agricultural seeds" means the seeds of grass, forage, cereal, fiber crops, and any other kinds of seeds commonly recognized within this state as agricultural seeds. The term includes lawn seeds and mixtures of seeds.

(2) "Approximate percentage" and "approximate number" mean the percentage or number with the variations above and below that value as allowed according to the tolerance limits defined in the "rules for seed testing" adopted by the association of official seed analysts.

(3) "Bin-run seed sales" means seed sales from one farmer to another farmer with seeds sold "as is" without guaranty or analysis.

(4) "Certifying agency" means:

(a) an agency authorized under the laws of a state, territory, or possession of the United States to officially certify seed and which has standards and procedures to assure the genetic purity and identity of the seed certified; or

(b) an agency of a foreign country determined by the department to adhere to procedures and standards for seed certification that are comparable to those adhered to generally by the seed certifying agencies described in subsection (4)(a).

(5) "Controlling the pollination" means to use a method of hybridization that will produce pure seed which is at least 75% hybrid seed. Hybrid designations must be treated as variety names.

(6) "Flower seeds" means seeds of herbaceous plants grown for their blooms, ornamental foliage, or other ornamental parts and that are commonly known and sold under the name of flower seeds in this state.

(7) "Hybrid", as the term applies to varieties of seed, means the first generation seed of a cross produced by controlling the pollination and by combining:

(a) two or more inbred lines;

(b) one inbred or a single cross with an open pollinated variety; or

(c) two or more selected clones, seed lines, varieties, or species.

(8) "Indigenous seeds" means the seeds of those plants that are naturally adapted to an area where the intended use is for revegetation of disturbed sites. These plants include grasses, forbs, shrubs, and legumes.

(9) "Labeling" means to affix, before offering the seed for sale, on the exterior of the container in a conspicuous place a label written or printed in the English language that has not been altered, giving the information required under this chapter.

(10) "Montana certified seed grower" means a member of an authorized Montana seed certifying agency who has consented to produce seed under the rules for certified classes of seed, with respect to the maintenance of genetic purity and variety identity, set forth by the establishing agency.

(11) "Name of the state in which the seed was grown" means any of the several states of the United States or a foreign country.

(12) "Other crop seeds" means any agricultural, vegetable, or flower seeds other than the seed or the mixture of seeds under consideration.

(13) "Percentage of germination" means the percentage of seeds that show normal sprouts as evidence of vitality when the seeds are subjected to the proper moisture and temperature conditions with proper aeration for the customary length of time for each specific kind of seed, as specified in the "rules for seed testing" adopted by the association of official seed analysts.

(14) "Percentage viability" means the percentage of live seed capable of producing a normal seedling under optimum growing conditions, after all forms of dormancy have been overcome, if present.

(15) "Person" means any individual, firm, partnership, corporation, or association.

(16) (a) "Prohibited noxious weed seeds" means the seeds of perennial and other noxious weeds that not only reproduce by seed but also may spread by underground roots, stems, and other reproductive parts and that, when well established, are highly destructive and difficult to control in this state by ordinary good cultural practice. Prohibited noxious weed seeds include the seeds of:

(i) leafy spurge (*Euphorbia esula*); and

(ii) Russian knapweed (*Centaurea repens*).

(b) Prohibited noxious weed seeds includes the seeds or bulbets of any other plant designated as prohibited weed seeds under rules adopted by the department.

(17) "Protected variety" means a variety for which a certificate has been issued by the United States plant variety protection office or for which an application for protection has been filed granting the owner or his authorized agent exclusive rights in the sale and distribution of the variety.

(18) "Restricted noxious weed seeds" means the seeds and bulbets of any plant designated as restricted weed seeds under rules adopted by the department. The term includes the seeds of:

(a) spotted knapweed (*Centaurea maculosa*); and

(b) dyers woad (*Isatis tinctoria*).

(19) "Screening" means chaff, sterile florets, immature seed, weed seed, inert matter, and any other materials removed from seed by any kind of cleaning or conditioning.

(20) "Seed conditioning plant" means any place of business that repackages, conditions, blends, treats, or otherwise manipulates agricultural seeds.

(21) "Seed dealer" means any person who offers for sale, sells, or barter agricultural seeds.

(22) "Seed labeler" means any person affixing labels to agricultural seeds, with his name and address listed as required in 80-5-102 when such seed is distributed in Montana.

(23) "Sell" means to offer for sale, expose for sale, have in possession for sale, exchange, barter, or trade. The term includes furnishing agricultural seed to growers for the production of a crop on contract.

(24) "Vegetable seeds" means seeds of those crops that are or may be grown in gardens or on truck farms and are or may be sold generally under the name of vegetable seeds.

(25) "Weed seeds" means the seeds or bulbets of all plants generally recognized as weeds within this state and includes noxious weed seeds.

Section 2. Section 80-5-102, MCA, is amended to read:

"80-5-102. Labeling of agricultural seeds. Any person offering for sale a package, parcel, or lot of agricultural seeds, as defined in 80-5-101 [section 1], that contains 1 pound or more of agricultural seeds, whether in package or in bulk, must have affixed to it a label specifying:

(1) a lot number or other distinguishing mark;

(2) kind. The name of each kind of seed present in excess of 5% shall be shown on the label and need not be accompanied by the word "kind". When two or more kinds of seed are named on the label, the name of each kind shall be accompanied by the percentage of each. When only one kind of seed is present in excess of 5% and no variety name or type designation is shown, the percentage of that kind may be shown as "pure seed" and such percentage shall apply to seed of the kind named.

(3) variety, as follows:

(a) the following kinds of agricultural seeds shall be labeled to show the variety name or the words "variety not stated":

alfalfa	oat
barley	pea, field
bean, field	rye
beet, field	safflower
brome, smooth	sorghum
clover, crimson	sorghum-sudan hybrid
clover, red	soybean
clover, white	sudan grass
corn, field	sunflower
corn, pop	trefoil, birdsfoot
fescue, tall	<u>wheat, club</u>
flax	wheat, common
millet, foxtail	wheat, durum

(b) if the name of the variety is given, the name may be associated with the name of the kind with or without the words "kind and variety". The percentage in this case may be shown as "pure seed" and

shall apply only to seed of the variety named. If separate percentages for the kind and the variety or hybrid are shown, the name of the kind and the name of the variety or the term "hybrid" shall be clearly associated with the respective percentages. When two or more varieties are present in excess of 5% and are named on the label, the name of each variety shall be accompanied by the percentage of each.

(4) that the seed is hybrid, if any one kind or kind and variety of seed present in excess of 5% is "hybrid" seed. The percentage that is hybrid shall be at least 95% of the percentage of pure seed shown unless the percentage of pure seed which is hybrid seed is shown separately. If two or more kinds or varieties are present in excess of 5% and are named on the label, each that is hybrid shall be designated as "hybrid" on the label. No one kind or variety of seed may be labeled as "hybrid" if the pure seed contains less than 75% hybrid seed. Any one kind or kind and variety that has pure seed which is less than 95% but more than 75% hybrid seed as a result of incompletely controlled pollination in a cross shall be labeled to show:

- (a) the percentage of pure seed that is hybrid seed; or
 - (b) a statement such as "Contains from 75% to 95% hybrid seed";
- (5) state or country of origin, if known, of alfalfa, red clover, white clover, native range grasses, and field corn other than hybrid. If the origin is unknown, the fact shall be stated.

(6) the approximate percentage of germination of agricultural seed, together with the date of test of germination. In all cases where hard seeds remain at the end of the germination test, the percentage of actual germination and the percentage of hard seeds shall be stated separately, with the provision that any portion or all of the percentage of hard seeds may be added to the percentage of germination and stated as "total germination and hard seed".

(7) the germination date that must include the calendar month and year in which the germination test was completed;

(8) the purity analysis that must include:

~~(7)~~(a) the approximate percentage by weight of pure seed, meaning the freedom of agricultural seeds from inert matter and from other seeds;

~~(8)~~(b) the approximate percentage by weight of sand, dirt, broken seeds, sticks, chaff, and other inert matter combined in agricultural seeds;

~~(9)~~(c) the approximate total percentage by weight of weed seeds;

~~(10)~~(d) the approximate percentage by weight of other crop seeds in agricultural seeds; and

~~(11)~~(e) the name and approximate number of each kind or species of restricted noxious weed seeds occurring per pound of ~~agricultural, vegetable, or flower seeds~~ seed;

~~(12)~~(9) the full name and address of the seedsman, importer, dealer or agent, or other person, firm, or corporation selling the ~~agricultural~~ seed;

~~(13)~~(10) in the case of mixtures of agricultural seeds which contain two or more kinds of seed in excess of 5% by weight of each, when sold as mixtures:

- (a) name of mixture;
- (b) name and approximate percentage by weight of each kind of agricultural seed present in the mixture in excess of 5% by weight of the total mixture;
- (c) approximate percentage by weight of broken seeds and other inert matter in the mixture of agricultural seeds;
- (d) approximate percentage by weight of weed seeds as defined in 80-5-101 [section 1];
- (e) approximate percentage by weight of other crop seeds in the mixture of agricultural seeds;
- (f) name and approximate number of each kind or species of restricted noxious weed seeds occurring per pound of mixtures of agricultural seeds, subject, however, to restrictions ~~as specified in established~~ under 80-5-105;
- (g) approximate percentage of germination of each kind of agricultural seed present in the mixture in excess of 5% by weight, together with the month and year the seed was tested. In all cases where hard seeds remain at the end of the germination test, the percentage of actual germination and the percentage of hard seeds shall be stated separately, with the provision that any portion or all of the hard seed may be added to the percentage of germination and stated as "total germination and hard seed".
- (h) full name and address of the vendor of the mixture."

Section 3. Section 80-5-103, MCA, is amended to read:

"80-5-103. Exchange of seed between labelers. (1) When seed is exchanged or transferred from one seed labeler to another, it shall be accompanied by a shipping document which clearly shows the kind(s) of seed and quantity of each kind. Each container of seed in a lot shall carry appropriate a lot number designation ~~and shall be accompanied by mechanical analysis for each lot so involved.~~

(2) While seed is in the possession of a licensed seed labeler, it must carry a lot number on each container at all times. When seed is made available for sale or sold, a complete label must be attached to each container of a lot."

Section 4. Section 80-5-104, MCA, is amended to read:

"80-5-104. Labeling of vegetable, flower, and indigenous seeds. (1) Vegetable and flower seeds in packets and in larger containers shall be labeled with the required information as follows:

- (a) each container of 1 pound or less:
 - (i) the commonly accepted name of the kind or the kind and variety of the seed;
 - (ii) the name and address of the person who labeled the seed or who sells the seed within this state;
 - (iii) the name and number per pound of each kind of restricted noxious weed seeds as prescribed ~~in~~ by rules adopted under 80-5-105;
 - (iv) in the case of seed which has a percentage of germination less than the standard prescribed in the Federal Seed Act:

- (A) the percentage of germination;
- (B) the percentage of hard seed, if more than 1%;
- (C) the month and year the test to determine the data required by this section was completed;
- (D) the words "below standard germination" in not less than 8-point boldface type;
- (b) each container of more than 1 pound:
 - (i) the name of the kind and variety of the contents;
 - (ii) the lot numbers or other lot identification;
 - (iii) the name and number per pound of each kind of restricted noxious weed seeds as prescribed ~~in~~ by rules adopted under 80-5-105;
 - (iv) the percentage of germination and whether the percentage of germination meets or exceeds the standard established in the Federal Seed Act;
 - (v) the percentage of hard seed, if more than 1%;
 - (vi) the month and year the test to determine the data required by this section was completed;
 - (vii) the name and address of the person who labeled the seed or who sells the seed within this state.
- (2) Indigenous seeds, as defined in ~~80-5-101~~ [section 1], in amounts of 1 pound or more, whether in package or bulk, must be labeled with the following information:
 - (a) the statement "Labeled only for reclamation purposes";
 - (b) lot number or other distinguishing mark;
 - (c) the common name, genus, species, and subspecies when applicable, including the name of each kind of seed present in excess of 5%. When two or more kinds of seed are named on the label, the label shall specify the percentage of each. When only one kind of seed is present in excess of 5% and no variety name or type designation is shown, the percentage must apply to seed of the kind named. If the name of the variety is given, the name may be associated with the name of the kind. The percentage in this case may be shown as "pure seed" and must apply only to seed of the variety named.
 - (d) state or country of origin, if known. If the origin is unknown, that fact shall be stated.
 - (e) the approximate percentage of viable seed, together with the date of test. When labeling mixtures, the percentage viability of each kind shall be stated.
 - (f) the approximate percentage by weight of pure seed, meaning the freedom of seed from inert matter and from other seeds;
 - (g) the approximate percentage by weight of sand, dirt, broken seeds, sticks, chaff, and other inert matter;
 - (h) the approximate total percentage by weight of other seeds;
 - (i) the name and approximate number of each kind of species of restricted noxious weed seeds occurring per pound of seed;

(j) the full name and address of the person, firm, or corporation selling the seed."

Section 5. Section 80-5-105, MCA, is amended to read:

"80-5-105. Prohibitions. A person, firm, corporation, partnership, or association may not sell or transport for use in planting in this state any ~~agricultural, vegetable, or flower~~ seed that:

(1) contains prohibited noxious weed seeds;

(2) contains restricted noxious weed seeds in excess of either:

(a) the maximum numbers per pound allowed under rules adopted by the department; or

(b) the maximum numbers per pound as follows:

Number of
seeds per
pound

Common name	Species
dodder	(Cuscuta spp.)
dyers woad	(Isatis tinctoria)
blue lettuce	(Lactuca pulchella)
St. Johnswort	(Hypericum perforatum)
oxeye daisy	(Chrysanthemum leucanthemum)
spotted knapweed	(Centaurea maculosa)
hoary alyssum	(Berteroa incana)
wild oats	(Avena fatua)

18

0

27

27

90

18 0

9

45

(per pound of
grass seed)

9

(per pound of
cereal seed)

90

9

45

buckhorn plantain	(Plantago lanceolata)
chickweed	(Stellaria spp.)
curly dock	(Rumex crispus)

(3) contains in excess of 2% or more of weed seed;

(4) is offered or exposed for sale more than 12 calendar months from the last day of the month in which the germination test was completed. This 12-month limitation does not apply when seed is packaged in hermetically sealed containers within 12 months after harvest. The container must be conspicuously labeled in not less than 8-point type to indicate that:

(a) the container is hermetically sealed;

(b) the seed has been preconditioned as to moisture content;

(c) the germination test is valid for a period not to exceed 18 months from the date of the germination test for seeds offered for sale on a wholesale basis and for a period not to exceed 36 months for seeds offered for sale at retail;

(d) the germination of vegetable seed at the time of packaging was equal to or above standards prescribed in the Federal Seed Act of August 1939, 7 U.S.C. 1551 through 1610, amended October 15, 1967, with subsequent revisions;

~~(5) is represented in any manner to be for lawn seeding purposes, unless it contains at least 50% pure seed of fine-textured perennial species which shall be specified by rules under this part. However,~~

grass mixtures which do not contain 50% pure seed of fine-textured perennial grasses may be sold. When these grass mixtures are contained in packages of 25 pounds or less, they shall carry the statements: "Not recommended for a fine-textured perennial turf. Satisfactory for a temporary ground cover or where coarse grass is not objectionable." A definition of fine-textured varieties to be adopted in the rules is as follows:

(a) bluegrasses—all varieties except Canada bluegrass (*Poa compressa*); annual bluegrass (*Poa annua*); and rough bluegrass (*Poa trivialis*);

(b) chewings red fescue and all improved varieties;

(c) creeping red fescue and all improved varieties;

(d) bentgrass—all varieties;

(e) fine-textured ryegrasses;

(6)(5) is labeled, advertised, or otherwise represented as being certified seed of any class thereof unless:

(a) it has been determined by a seed certifying agency that such seed conforms to standards of purity and identity as to kind, species (and subspecies, if appropriate), or variety; and

(b) the seed bears an official label issued for such seed by a seed certifying agency certifying that the seed is of a specified class and a specified kind, species (and subspecies, if appropriate), or variety;

(7)(6) is labeled with a variety name for which a U.S. certificate of plant variety protection has been issued or applied for under the provisions of the Plant Variety Protection Act (7 U.S.C. 2321, et. seq.) without the authority of the owner of the variety or is labeled with a variety name but not certified by an official seed certifying agency when it is a variety for which the certificate or application for "protection" specifies sale only as a class of certified seed, provided that seed from a certified lot may be labeled as to variety name when used in a mixture by or with approval of the owner of the variety."

Section 6. Section 80-5-107, MCA, is amended to read:

"80-5-107. Exemptions. ~~Agricultural seeds~~ Seed or mixtures of same shall be exempt from the provisions of this part:

(1) when possessed, exposed for sale, or sold for food purposes only;

(2) when sold to merchants or dealers to be conditioned before being sold or offered for sale for seeding purposes;

(3) when in store for the purpose of conditioning or not possessed, sold, or offered for sale for seeding purposes within the state."

Section 7. Section 80-5-108, MCA, is amended to read:

"80-5-108. ~~Inspection~~ Analysis by ~~grain and~~ seed laboratory — reports. The ~~grain and~~ seed laboratory of the agricultural experiment station shall ~~inspect~~, analyze, and test seeds sold or offered or exposed for sale in this state at a time and place and to the extent the director of the agricultural experiment station and the department determine. The laboratory shall report to the department all

violations as they appear. It ~~shall~~ may also annually before September 1 make a report to the department of all tests made and the results, which may be published by the department. ~~The laboratory and the department shall have free access at all reasonable hours to all premises or structures to make examination of any seeds or any other premises of a warehouse, elevator, or railway company. Upon tendering payment at the current value, the department may take any sample of seeds."~~

Section 8. Section 80-5-109, MCA, is amended to read:

"80-5-109. Testing of submitted samples. The ~~grain and~~ seed laboratory shall analyze any official seed samples taken from seed lots offered for sale in the state ~~and~~ or submitted by the department using methods such as those established under the Federal Seed Act and the procedural guidelines developed by the association of official seed analysts."

Section 9. Section 80-5-110, MCA, is amended to read:

"80-5-110. Laboratory testing of samples — fees. Any citizen of this state may request the ~~grain and~~ seed laboratory to examine, analyze, and test samples of seed upon payment of the fee and compliance with rules governing the submission of seed samples for such service. Samples of seed analyzed and tested shall be charged for at rates determined jointly established by the rule of the department and the director of the grain and seed laboratory as recommended by the agricultural experiment station. All fees collected by the ~~grain and~~ seed laboratory shall be used to defray the expenses incurred by the laboratory under ~~80-5-101~~ 80-5-102 through 80-5-113."

Section 10. Section 80-5-111, MCA, is amended to read:

"80-5-111. Certificate of test presumptive evidence. The certificate of the ~~grain and~~ seed laboratory, giving results of any examinations, analyses, or tests of any seed samples made under the authority of the department, is presumptive evidence of the correctness of the facts stated in it."

Section 11. Section 80-5-112, MCA, is amended to read:

"80-5-112. Enforcement — rules. The department shall administer and enforce ~~80-5-101~~ 80-5-102 through 80-5-113. For that purpose, the department may adopt rules. The department may issue and enforce a written or printed "stop sale" order to the owner or custodian of any lot of ~~agricultural~~ seed which the department finds in violation of ~~80-5-101~~ 80-5-102 through 80-5-113. The order shall prohibit further sale of the seed until the department has evidence that the law has been complied with. The seed may not be confiscated or destroyed. Upon proper correction, by reconditioning, labeling, or otherwise, and when, in the judgment of the department, the requirements of ~~80-5-101~~ 80-5-102 through 80-5-113 have been met, the stop sale order shall be lifted and the seed may be sold. The department shall adopt all necessary rules relating to the agricultural experiment station's duties under ~~80-5-101~~ 80-5-102 through 80-5-113."

Section 12. Section 80-5-113, MCA, is amended to read:

"80-5-113. Penalty. Any person, firm, or corporation which sells or offers or exposes for sale or distribution in the state any ~~agricultural~~

seeds seed for seeding purposes without complying with the requirements of ~~80-5-101~~ 80-5-102 through 80-5-113 is guilty of a misdemeanor and upon conviction shall be fined not less than \$100 or more than \$300 plus costs of such prosecution and upon conviction of the second or any subsequent offense shall be fined not less than \$500 or more than \$1,000 plus costs of such prosecution."

Section 13. Section 80-5-202, MCA, is amended to read:

"80-5-202. Licensing — ~~issuance~~ — application — fee — ~~bonding~~ — insurance. (1) All seed conditioning plants and seed labelers shall obtain a license from the department for each plant before doing business in this state; however, a Montana certified seed grower, when conditioning ~~or labeling~~ certified seed from his own production, is not required to be licensed under this part. ~~Bin-run seed sales from one farmer to another are exempt from this part.~~

(2) ~~All licenses are issued on a fiscal-year basis and expire on June 30 of each year.~~

(3) ~~Application for license is made in a manner and on forms provided by the department. A nonresident shall file a written power of attorney designating the secretary of state as his agent, and the power of attorney shall be so prepared and in such form as to render effective the jurisdiction of the courts of the state of Montana over the nonresident applicant. A nonresident who has a duly appointed resident agent upon whom process may be served as provided by law is not required to designate the secretary of state as his agent. The department shall be furnished with a certified copy of the designation of the secretary of state or of a resident agent.~~

(2) Each conditioning plant must post in a conspicuous location in the facility:

(a) its fees for conditioning services; and

(b) the license designation for the facility.

(3) All seed labelers and growers who label or affix written claims to their seed shall obtain a license from the department before doing business in Montana. The following persons, however, are excluded from the licensing requirements under this subsection:

(a) a Montana certified seed grower when labeling certified seed from his own production; and

(b) any person who updates germination test data by affixing to the package of seed a supplemental label bearing new germination data, the lot number, and his name and address.

(4) No person may sell or distribute seed in Montana without obtaining a seed dealer's license from the department for each place where seed is located, except for:

(a) a person who distributes seed only in sealed packages of 10 pounds or less that are properly labeled;

(b) a Montana certified seed grower when selling certified seed from his own production; and

(c) a person when making bin-run seed sales.

(5) Each person selling seed from a location other than the licensed place must be listed on the application for license.

(6) The department shall set by rule the period for which a license is issued under this section.

~~(4)(7) The department may establish by rule minimum standards for equipment and handling procedures for facilities to be licensed and may carry out inspections during normal business hours to determine that these standards are being adhered to.~~

(5)(8) Each license shall cost no more than \$50 a year. The fee must include the cost of application for a license and must be nonrefundable. The department may by rule establish license fees which bear a reasonable relationship to the cost of administering this part.

~~(6) Failure on the part of a licensee to comply with the rules issued under the authority of this section is sufficient cause for cancellation of a license by the department, provided the licensee is given a reasonable opportunity to correct inadvertent and nonrecurring deficiencies.~~

(9) An application for a license under this section must be made in a manner and on forms provided by the department. Such application must contain among other things:

(a) the location of each seed conditioning plant if the application is for a seed conditioning plant license;

(b) a sample label if the application is for a seed labeler license; and

(c) a list of persons selling seed if the application is for a seed dealer's license."

Section 14. Section 80-5-204, MCA, is amended to read:

"80-5-204. Screenings — restrictions on movements. All screenings whether from seed conditioning plants or other sources represent both a valuable and potentially hazardous product. Their movements are restricted as follows:

(1) The viability of prohibited noxious weed seed as defined in ~~80-5-101~~ [section 1] shall be destroyed before screenings are utilized in feed or in any other way in which they may propagate their kind. However, if these screenings are sold for feed, it shall be the responsibility of the feed buyer to haul under a tarp cover or other tight container until the provisions of this part are met.

(2) The department ~~has authority to issue~~ may adopt rules to restrict or exempt from restriction the holding and movement of screenings when the public interest is served by so doing."

Section 15. Section 80-5-205, MCA, is amended to read:

"80-5-205. Violations. The following acts caused within the state of Montana are prohibited:

(1) the failure or refusal to obtain a license as required in 80-5-202 ~~and 80-5-203;~~

(2) the misbranding or mislabeling of ~~agricultural seeds~~ seed;

(3) the violation or failure to comply with rules issued under the authority of this part."

Section 16. Section 80-5-207, MCA, is amended to read:

"80-5-207. Violation — cancellation of license — enforcement proceedings. (1) ~~The department may cancel any license issued by it~~

when the provisions of this part have been violated by the holder of the license. Distribution of seeds that are not legally labeled or failure to comply with this chapter or rules issued under its authority constitutes sufficient grounds for the department to cancel or deny a license to a licensee, provided that the licensee is given a reasonable opportunity to correct inadvertent and nonrecurring deficiencies.

(2) Any person convicted of violating the provisions of this part or rules promulgated under the authority of this part is guilty of a misdemeanor and shall be fined not less than \$100 or more than \$300 for the first violation and not less than \$500 or more than \$1,000 for each subsequent violation.

(3) Nothing in this part shall be construed as requiring the department or its representatives to report violations of this part when it believes that the public interest will be best served by a suitable notice of warning.

(4) It is the duty of each county attorney to whom any violation is reported to cause appropriate proceedings to be instituted and prosecuted in a court of competent jurisdiction without delay.

(5) The department is authorized to apply for and the court to grant a temporary or permanent injunction restraining any person from violating or continuing to violate any of the provisions of this part or any rule promulgated under this part notwithstanding the existence of other remedies at law. An injunction is issued without bond.

(6) Any person adversely affected by an act, order, or ruling made pursuant to the provisions of this part may within 30 days bring action in the district court of the county or any county where the alleged violation occurred for trial of the issues bearing upon such act."

NEW SECTION. Section 17. Inspection. To enforce this chapter, the department may enter, at reasonable times, any public or private premises, including any vehicle of transport, and upon entry to the premises, the department may obtain samples, examine seeds and labels, inspect equipment, and review records relating to distribution of seed in Montana. The department may take any sample of seeds as may be required; however, the department shall pay, upon request, the firm current market value for each sample.

NEW SECTION. Section 18. Publication of reports. The department may publish the names and addresses of persons licensed under this chapter.

NEW SECTION. Section 19. Repealer. Sections 80-5-101, 80-5-106, 80-5-201, and 80-5-203, MCA, are repealed.

NEW SECTION. Section 20. Extension of authority. Any existing authority of the department of agriculture to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 21. Effective dates. (1) Section 20 and this section are effective on passage and approval, except rules adopted by the department may not take effect until October 1, 1987."

(2) The remaining sections of this act are effective October 1, 1987."

HB 220, statement of intent, be amended as follows:

1. Page 1.

Following: line 5

Strike: "80-5-101"

Insert: "section 1"

2. Page 1, line 12.

Following: "that"

Strike: "the listed"

3. Page 2, line 1.

Following: "that"

Strike: "the listed"

Insert: "seeds designated as"

4. Page 2, line 2.

Following: "seeds"

Insert: "under current statutes"

Following: "to"

Strike: "the"

Insert: "seeds classified as"

Following: "noxious"

Strike: "weeds listed by"

Insert: "weed seeds under"

5. Page 2, line 3.

Following: "adopted"

Strike: "under the above mentioned statutes"

Insert: "by the department"

Following: "."

Strike: "The"

Insert: "However, the department shall include the seeds of leafy spurge and Russian knapweed in the prohibited noxious weed seeds category. In addition, the department shall designate the seeds of spotted knapweed and dyers woad as restricted noxious weed seeds. Thus, except as otherwise provided under this act, the"

And, as amended, do pass. Report adopted.

HB 815, introduced bill, be amended as follows:

1. Page 2, line 24.

Following: "owned"

Insert: "or leased"

2. Page 3, line 4.

Following: "~~shall~~"

Strike: "may"

Insert: "shall"

3. Page 3, line 5.

Following: "pathogens"

Strike: ""

Insert: "²and"

Following: "parasites"

Strike: ""

Insert: "²."

4. Page 3.

Following: line 5

Insert: "(3) The department may adopt rules establishing minimum standards for the presence of"

Renumber: subsequent subsections

Following: "predators"

Strike: " "

5. Page 4, line 14.

Following: "~~shall~~"

Strike: "may"

Insert: "shall"

6. Page 6, line 7.

Following: "fee"

Strike: "prescribed"

Insert: "set"

Following: "by"

Strike: "the"

Following: "department"

Insert: "rule"

7. Page 6, line 23.

Following: "certified"

Strike: "must"

Insert: "may"

8. Page 10.

Following: line 1

Insert: "NEW SECTION. Section 11. Termination of program. If fees are insufficient to finance the costs of services under this part, all authority of the department for administration of this part is terminated."

Renumber: subsequent sections

Committee attached the following statement of intent:

Statement of Intent
HB 815

It is the specific intent of the legislature that the department of agriculture establish standards for tolerances of pathogens, parasites, predators, and nest destroyers that threaten alfalfa leaf-cutting bees. These standards should specify the parameters for the certification, importing, and quarantining of bees. The standards should be based upon scientific and economic considerations. The department also should establish the necessary procedures for registration, certification, quarantining, sampling, importing, and other functions designated in the act. These procedures should be reasonable and be based upon scientifically sound practices or logical administrative management. It is further the intent of the legislature that the department establish fees for services on a cost basis. The department shall consider both direct and indirect cost in determining the proper fee structure.

And, as amended, do pass. Report adopted.

HB 822, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 822

A statement of intent is required for this bill because it authorizes the department of agriculture to adopt rules establishing the equivalent of

surety bonds to be posted by produce wholesalers and itinerant merchants. It is the intent of the legislature that the rules be similar to those adopted for establishing equivalents to surety bonds for commodity dealers under 80-4-604.

APPROPRIATIONS (Donaldson, Chairman):

2/20/87

HB 434, introduced bill, be amended as follows:

1. Title, line 7.

Following: "1987"

Insert: "TRANSFERRING \$35 MILLION FROM THE LOCAL IMPACT AND EDUCATION TRUST FUND ACCOUNT TO THE GENERAL FUND;"

2. Page 3, line 4.

Insert: "School Foundation Program 1987 \$1,000,000 General Fund"

3. Page 3.

Following: line 14

Insert: "DEPARTMENT OF COMMERCE
Local Government Block Grant 1987

Funds available within the local government block grant account shall be distributed in the following priority:

First, the state's financial obligation to Lewis and Clark County for fiscal years 1982 through 1986 shall be paid;

Second, the remaining funds in the account should be distributed according to Section 7-6-303, MCA.

This appropriation is to satisfy the court award in Lewis and Clark County vs. State of Montana, Montana Supreme Court docket number 86-289."

4. Page 4, line 20.

Insert: "Workers' Compensation Audit 1987 \$60,536
State Special"

5. Page 5, line 6.

Strike: "\$1,405,006"

Insert: "\$2,905,006"

6. Page 5.

Following: line 17

Insert: "12 Mill Levy Deficiency 1987 \$218,958 General Fund"

7. Page 5.

Following: line 24

Insert: "Section 5. Transfer to general fund — reversion. (1) There is transferred \$35 million from the local impact and education trust fund account funded by 15-35-108(3)(b) to the general fund.

(2) All funds transferred to the general fund pursuant to subsection (1) that are unspent and unencumbered on June 30, 1987, revert to the local impact and education trust fund account."

Renumber: subsequent section

8. Page 5, line 20.

Strike: "\$20,978,540"

Insert: "\$23,697,498"

9. Page 5, line 21.

Strike: "813,340"

Insert: "873,876"

10. Page 5, line 24.

Strike: "\$42,966,287"

Insert: "\$45,745,781"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman):

2/20/87

HB 66, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "MANUFACTURERS AND DISTRIBUTORS"

Insert: "MANUFACTURERS-DISTRIBUTORS"

2. Title, line 9.

Following: "INVESTIGATION,"

Strike: "BONDING,"

3. Page 1, line 17.

Following: "all"

Insert: "proprietary"

4. Page 1, line 24 through page 2, line 3.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

5. Page 2, line 12.

Strike: ""Manufacturer""

Insert: ""Manufacturer-distributor""

6. Page 2, line 13.

Following: "produces,"

Strike: "or"

Insert: "and"

7. Page 2, line 14.

Following: "makes"

Insert: "or supplies"

8. Page 2, line 16 through page 3, line 2.

Strike: subsection (6) in its entirety

Renumber: subsequent subsections

9. Page 3, line 17.

Strike: "Manufacturer or distributor"

Insert: "Manufacturer-distributor"

10. Page 3, line 22.

Strike: "manufacturer's or distributor's"

Insert: "manufacturer-distributor's"

11. Page 3, lines 24 and 25.

Following: "of" on line 24

Strike: ":",

Strike: "(a) \$1,500"

Insert: "\$1,000"

12. Page 4, line 1.

Strike: "manufacturer's"

Insert: "manufacturer-distributor's"

Following: "license"

Strike: ":", and"

Insert: “.”

13. Page 4, lines 2 and 3.

Strike: subsection (b) in its entirety

14. Page 4, lines 5 and 6.

Following: “one-time” on line 5

Strike: “manufacturer’s or distributor’s”

Insert: “manufacturer-distributor’s”

15. Page 4, line 9.

Strike: “manufacturer’s and distributor’s”

Insert: “manufacturer-distributor’s”

16. Page 4, line 16.

Strike: “security —”

17. Page 4, lines 17 and 18.

Following: “a” on line 17

Strike: “manufacturer’s or distributor’s”

Insert: “manufacturer-distributor’s”

18. Page 4, line 23.

Strike: “manufacturer or distributor”

Insert: “manufacturer-distributor”

19. Page 5, line 2 through page 7, line 6.

Strike: subsections (2), (3), (4), (5), and (6) in their entirety

Re-number: subsequent subsection

20. Page 7, line 13.

Strike: “manufacturer or distributor”

Insert: “manufacturer-distributor”

21. Page 7, lines 17 and 18.

Following: “equipment” on line 17

Strike: “manufactured or distributed by the applicant”

Insert: “produced by the manufacturer-distributor”

22. Page 7.

Following: line 18

Insert: “(b) the department may revoke a license for a machine produced by that manufacturer-distributor and owned by a person in the state of Montana, at the time revocation of the manufacturer-distributor’s licensure only if, after a reasonable length of time, the machine remains out of compliance with state requirements; and”

Re-number: subsequent subsection

23. Page 7, line 19.

Strike: “manufacturer or distributor”

Insert: “manufacturer-distributor”

24. Page 7, lines 21 through 24.

Following: “equipment” on line 21

Strike: remainder of line 21, lines 22 and 23 in their entirety, and line 24 through “equipment”

25. Page 7, line 25.

Following: “(2)”

Strike: “An”

Insert: “Any association or”

Following: “between”

Strike: remainder of line 25

Insert: "the manufacturer-distributor"

26. Page 8, lines 3 and 4.

Following: "that the" on line 3

Strike: "manufacturer or distributor"

Insert: "manufacturer-distributor"

27. Page 8, line 9.

Strike: "manufacturer or distributor"

Insert: "manufacturer-distributor"

28. Page 8, line 12.

Following: "of"

Strike: "a video draw poker machine license"

Insert: "the licensee's video draw poker machine licenses"

29. Page 8, line 13 through page 9, line 1.

Strike: subsection (4) in its entirety

30. Page 9, line 2.

Strike: "(1)"

31. Page 9, line 3.

Following: "finds"

Strike: "reasonable cause to believe"

Insert: ", after a hearing conducted pursuant to the Montana Administrative Procedure Act, that"

32. Page 9, line 7.

Strike: "(a)"

Insert: "(1)"

Renumber: subsequent subsections

33. Page 9, line 14.

Strike: "(a)"

Following: "through"

Strike: "(1)(d)"

Insert: "(4)"

34. Page 9, lines 15 through 20.

Strike: subsection (2) in its entirety

35. Page 9, line 21.

Following: "of"

Insert: "new"

36. Page 9, line 23.

Following: "approve"

Insert: "new"

37. Page 10, line 2.

Following: "is"

Strike: "placed into play or use"

Insert: "played or used"

38. Page 10, line 5.

Strike: "manufacturer and distributor"

Insert: "manufacturer-distributor"

39. Page 10, line 6.

Following: "equipment"

Strike: "are"

Insert: "is"

40. Page 10, lines 7 and 8.

Following: "require the"

Strike: remainder of line 7 and line 8 through "licensee"

Insert: "manufacturer-distributor"

41. Page 10, line 9.

Following: "a"

Insert: "new"

42. Page 10, lines 15 through 24.

Strike: section 7 in its entirety

Renumber: subsequent sections

43. Page 11, line 13.

Following: "section"

Strike: "9"

Insert: "8"

44. Page 11, line 15.

Following: "through"

Strike: "8"

Insert: "7"

45. Page 11, line 18.

Following: "through"

Strike: "8"

Insert: "7"

46. Page 11, line 21.

Following: "through"

Strike: "8"

Insert: "7"

47. Page 11, line 23.

Strike: "9"

Insert: "8"

Strike: "10"

Insert: "9"

48. Page 11, line 25.

Strike: "8"

Insert: "7"

Strike: "11"

Insert: "10"

And, as amended, do pass. Report adopted.

HB 823, do pass. Report adopted.

HJR 37, introduced bill, be amended as follows:

1. Page 1, line 18.

Strike: "seven"

Insert: "several"

2. Page 1, line 20.

Strike: "three"

Insert: "several"

3. Page 2, lines 7 and 8.

Following: "to" on line 7

Strike: "consider enrolling"

Insert: "enroll"

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

2/20/87

HB 294, do pass. Report adopted.**HB 356**, do pass. Report adopted.**HB 619**, do pass. Report adopted.**HJR 26**, do pass. Report adopted.

FISH AND GAME (Ellison, Chairman):

2/19/87

HJR 20, do pass. Report adopted.

JUDICIARY (Lory, Chairman):

2/20/87

HB 135, do pass. Report adopted.**HB 491**, do pass. Report adopted.**HB 610**, do pass. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

2/20/87

HB 762, introduced bill, be amended as follows:

1. Page 2, line 10.

Following: "if"

Insert: "if"

2. Page 2, line 16.

Following: "or"

Insert: ", after the expiration of 5 years,"

3. Page 2, line 17.

Strike: "request"

Insert: "sign a petition requesting"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Jones, Chairman):

2/20/87

HB 760, do pass. Report adopted.**HB 777**, do pass. Report adopted.

Adverse Committee Reports

HB 831, do not pass.

STATE ADMINISTRATION (Sales, Chairman):

2/20/87

HB 792, do pass. Report adopted.**HB 818**, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks

February 20, 1987

Speaker of the House

State Capitol

Helena, Montana 59620

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 87, 98, 114, 136, 158, 172, 177, 194, 218, 224, 225, 244, and 331 on this date.

Sincerely,

Ted Schwinden
Governor

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 372 - Representative Miller moved that HB 372 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 83

Noes: Bardanouve, Campbell, Connelly, Glaser, Koehnke, Raney, Swysgood.
Total 7

Excused: Compton, DeMars, Moore, Ream, Thomas, Williams.
Total 6

Absent or not voting: Quilici, Ramirez, Rapp-Svrcek, Sands.
Total 4

HB 376 - Representative Jenkins moved that HB 376 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cohen, Corne', Daily, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Winslow, Mr. Speaker.
Total 79

Noes: Cody, Connelly, Darko, Driscoll, Fritz, Hanson, Nisbet, Raney, Whalen.
Total 9

Excused: Compton, DeMars, Moore, Ream, Thomas, Williams.
Total 6

Absent or not voting: Bardanouve, Bulger, Cobb, Kadas, Pavlovich, Poff.
Total 6

HB 385 - Representative Kadas moved that HB 385 be placed below HB 570 on the second reading board for amendment. Motion carried.

HB 393 - Representative Lory moved that HB 393, second reading copy, be amended as follows:

1. Page 2, line 4.
Following: "WITH"
Insert: "the terms of"

2. Page 2, line 7.

Following: "court;"

Strike: "OR"

3. Page 2, line 11.

Following: "HEARING"

Strike: " "

Insert: " ; or

(d) the party requesting removal has unsuccessfully attempted through court litigation to prevent the commission staff from investigating the complaint."

4. Page 4, line 20.

Following: "WITH"

Insert: "the terms of"

5. Page 4, line 23.

Following: "court;"

Strike: "OR"

6. Page 5, line 2.

Following: "HEARING"

Strike: " "

Insert: " ; or

(d) the party requesting removal has unsuccessfully attempted through court litigation to prevent the commission staff from investigating the complaint."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Compton, DeMars, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: Cobb, Eudaily, Winslow.

Total 3

Representative Lory moved that HB 393, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly,

Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen.
Total 83

Noes: Driscoll, Hannah, Nisbet, Sales, Squires, Strizich.
Total 6

Excused: Compton, DeMars, Moore, Ream, Thomas, Williams.
Total 6

Absent or not voting: Cobb, Connelly, Kadas, Winslow, Mr. Speaker.
Total 5

HB 466 - Representative D. Brown moved that HB 466 be placed below HB 472 on the second reading board. Motion carried.

HB 430 - Representative Brandewie moved that HB 430 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Winslow.
Total 87

Noes: Driscoll, Whalen.
Total 2

Excused: Compton, DeMars, Moore, Ream, Thomas, Williams.
Total 6

Absent or not voting: Connelly, Kadas, Lory, Nathe, Mr. Speaker.
Total 5

HB 470 - Representative Miles moved that HB 470 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow.
Total 87

Noes: Devlin, Switzer.
Total 2

Excused: Compton, DeMars, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: Connelly, Iverson, Koehnke, Pavlovich, Mr. Speaker.

Total 5

HB 472 - Representative Darko moved that HB 472, second reading copy, be amended as follows:

1. Page 2, line 20.

Strike: "\$50"

Insert: "\$75"

Amendment passed as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Corne', Daily, Darko, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 84

Noes: Asay, Giacometto, Keller.

Total 3

Excused: Compton, DeMars, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: Bardanouve, Connelly, Devlin, Donaldson, Hannah, Hansen, Koehnke.

Total 7

Representative Darko moved that HB 472, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Eudaily, Fritz, Gilbert, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Vincent, Wallin, Whalen, Winslow.

Total 72

Noes: Asay, Bulger, Devlin, Donaldson, Driscoll, Ellison, Giacometto, Glaser, Gould, Grinde, Hayne, Hoffman, Keller, Menke, Swift, Swysgood, Thoft, Mr. Speaker.

Total 18

Excused: Compton, DeMars, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: Bardanouve, Kadas, Miles, Nathe.

Total 4

HB 466 - Representative Cody moved that HB 466, second reading copy, be amended as follows:

1. Title, line 4.

Following: "REQUIRING"

Insert: "SCHOOL DISTRICTS, POSTSECONDARY VOCATIONAL-TECHNICAL CENTERS OR PROGRAMS,"

2. Page 6, line 5.

Strike: "a school" through "program," on line 6

Amendment passed as follows:

Ayes: Addy, Asay, Bradley, D. Brown, Campbell, Cody, Cohen, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, McCormick, Menahan, Mercer, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Russell, Sales, Sands, Simon, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 69

Noes: Bachini, Brandewie, Bulger, Eudaily, Grady, Harp, Keenan, Lory, Manuel, Menke, Meyers, Miles, Peck, Roth, Schye, Smith.

Total 16

Excused: Compton, DeMars, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: Bardanouve, J. Brown, Cobb, Connelly, Daily, Hannah, Nathe, Squires, Stang.

Total 9

Representative Thomas present at this time.

Representative D. Brown moved that HB 466, as amended, do pass.
Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, D. Brown, Campbell, Cody, Cohen, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Rehberg, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Whalen.

Total 71

Noes: Addy, Bradley, Brandewie, J. Brown, Bulger, Cobb, Devlin, Gilbert, Grinde, Harp, Kadas, Keenan, Meyers, Miles, Ramirez, Roth, Schye, Spaeth, Switzer, Wallin, Williams, Winslow, Mr. Speaker.

Total 23

Paired: Pavlovich, Aye; Williams, No.

Excused: Compton, DeMars, Moore, Ream.

Total 4

Absent or not voting: Connelly, Eudaily.

Total 2

HB 530 - Representative Ellison moved that HB 530 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 90

Noes: Bulger, Connelly, Daily, Gilbert, Raney.
Total 5

Excused: Compton, DeMars, Moore, Ream, Williams.
Total 5

Absent or not voting: None.
Total 0

HB 539 - Representative Hoffman moved that HB 539, second reading copy, be amended as follows:

1. Page 1, line 18.

Strike: "Except as provided in subsection (7), the"

Insert: "The"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.
Total 91

Noes: None.
Total 0

Excused: Compton, DeMars, Moore, Ream, Williams.
Total 5

Absent or not voting: J. Brown, Fritz, Pavlovich, Mr. Speaker.
Total 4

Representative Hoffman moved that HB 539, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert,

Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 91

Noes: None.

Total 0

Excused: Compton, DeMars, Moore, Ream, Williams.

Total 5

Absent or not voting: D. Brown, Grinde, Quilici, Mr. Speaker.

Total 4

HB 565 - Representative Pistoria moved that HB 565 do pass. Representative Bradley made a substitute motion that HB 565 do not pass. Motion failed. (38-55)

HB 565 passed as follows:

Ayes: Addy, Bachini, Bardanoue, D. Brown, J. Brown, Bulger, Cobb, Cohen, Connelly, Daily, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Hannah, Hanson, Harper, Harrington, Hoffman, Jones, Kadas, Koehnke, McCormick, Manuel, Mercer, Miller, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Ramirez, Raney, Rehberg, Roth, Sales, Schye, Smith, Stratford, Strizich, Swift, Thoft, Whalen, Williams, Mr. Speaker.

Total 48

Noes: Asay, Bradley, Brandewie, Campbell, Cody, Corne', Darko, Devlin, Eudaily, Gould, Grady, Grinde, Hansen, Harp, Hayne, Holliday, Iverson, Jenkins, Keenan, Keller, Kitselman, Lory, Menahan, Menke, Meyers, Miles, Nathe, Nelson, Pavlovich, Peterson, Poff, Poulsen, Quilici, Russell, Sands, Simon, Spaeth, Squires, Stang, Switzer, Swysgood, Thomas, Vincent, Wallin.

Total 44

Paired: Williams, Aye; Keenan, No.

Excused: Compton, DeMars, Moore, Ream.

Total 4

Absent or not voting: Donaldson, Kennerly, Rapp-Svrcek, Winslow.

Total 4

HB 570 - Representative Brandewie moved that HB 570 do pass. Motion carried as follows:

Ayes: Addy, Bardanoue, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Holliday, Iverson, Jenkins, Keenan, Kennerly, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 73

Noes: Asay, Bachini, Cobb, Cody, Ellison, Gould, Hansen, Hayne, Hoffman, Jones, Kadas, Keller, Kitselman, Koehnke, McCormick, Nisbet, Peck, Switzer, Swysgood.

Total 19

Excused: Compton, DeMars, Moore, Ream, Williams.

Total 5

Absent or not voting: Connelly, Harper, Mr. Speaker.

Total 3

HB 385 - Representative Kadas moved that HB 385, second reading copy, be amended as follows:

1. Page 2.

Following: line 3

Insert: "reminder notice by mail to a light vehicle owner of the"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 89

Noes: Poulsen, Switzer.

Total 2

Excused: Compton, DeMars, Moore, Ream, Williams.

Total 5

Absent or not voting: Donaldson, Harper, Meyers, Mr. Speaker.

Total 4

Representative Kadas moved that HB 385, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Corne', Daily, Darko, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harp, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 77

Noes: Asay, Devlin, Grinde, Hanson, Hayne, Keller, Peterson, Poulsen, Rehberg, Sands, Switzer.

Total 11

Excused: Compton, DeMars, Moore, Ream, Williams.

Total 5

Absent or not voting: Bardanouve, D. Brown, Connelly, Donaldson, Harper, O'Connell, Mr. Speaker.

Total 7

HB 607 - Representative Keenan moved that HB 607 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Roth, Russell, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow.

Total 78

Noes: Asay, Gilbert, Hanson, Hayne, Keller, Menke, Meyers, Ramirez, Rehberg, Sales, Sands, Switzer, Thomas.

Total 13

Excused: Compton, DeMars, Moore, Ream, Williams.

Total 5

Absent or not voting: Bardanouve, O'Connell, Spaeth, Mr. Speaker.

Total 4

HB 650 - Representative Roth moved that HB 650 do pass. Representative Kadas made a substitute motion that HB 650, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "PROHIBITING"

Insert: "ALLOWING COUNTY COMMISSIONERS TO PROHIBIT"

2. Page 1, line 17.

Strike: "No person may operate"

Insert: "The county commissioners of a county may, by resolution, prohibit a person from operating"

3. Page 1, lines 22 through 25.

Strike: section (3) in its entirety

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow.

Total 87

Noes: Asay, Hansen, Thomas.

Total 3

Excused: Compton, DeMars, Moore, Ream, Williams.

Total 5

Absent or not voting: D. Brown, Devlin, Patterson, Spaeth, Mr. Speaker.

Total 5

HB 650, as amended, failed to pass. (31-61)

Representative Hannah moved that HB 650, as amended, do not pass.

Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Connelly, Corne', Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Nathe, Nelson, Nisbet, Pavlovich, Peck, Peterson, Poff, Quilici, Raney, Rapp-Svrcek, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 62

Noes: Addy, Bardanouve, Bulger, Cobb, Daily, Darko, Fritz, Giacometto, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Jones, Kadas, Keller, Mercer, Meyers, O'Connell, Patterson, Phillips, Pistoria, Ramirez, Rehberg, Roth, Sales, Sands, Stratford, Thomas, Winslow.

Total 31

Excused: Compton, DeMars, Moore, Ream, Williams.

Total 5

Absent or not voting: Miller, Poulsen.

Total 2

HB 654 - Representative Addy moved that HB 654 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Keenan, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 74

Noes: Cobb, Cody, Devlin, Driscoll, Gould, Hannah, Hayne, Hoffman, Keller, Koehnke, Meyers, Nathe, Nelson, Nisbet, Pavlovich, Swift, Switzer.

Total 17

Excused: Compton, DeMars, Moore, Ream, Williams.

Total 5

Absent or not voting: Kadas, Menke, Thoft, Mr. Speaker.

Total 4

HB 675 - Representative Miles moved that HB 675 do pass. Representative McCormick made a substitute motion that HB 675 do not pass. Motion carried as follows:

Ayes: Asay, Brandewie, D. Brown, J. Brown, Cody, Compton, Daily, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Glaser, Gould,

Grady, Grinde, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Sales, Schye, Smith, Stang, Swift, Switzer, Swysgood, Thoft, Wallin.
Total 50

Noes: Addy, Bachini, Bardanouve, Bradley, Bulger, Campbell, Cobb, Cohen, Connelly, Corne', Darko, Eudaily, Gilbert, Hannah, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Peck, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Spaeth, Squires, Stratford, Strizich, Thomas, Vincent, Whalen, Winslow, Mr. Speaker.
Total 48

Paired: Compton, Devlin, Switzer, Ayes; Moore, Ream, Mr. Speaker, Noes.

Excused: DeMars, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 692 - Representative J. Brown moved that HB 692 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.
Total 92

Noes: None.
Total 0

Excused: Compton, DeMars, Moore, Ream, Williams.
Total 5

Absent or not voting: D. Brown, Harper, Mr. Speaker.
Total 3

HB 693 - Representative Mercer moved that HB 693, second reading copy, be amended as follows:

1. Title, line 6.
Following: "OF"
Insert: "OR STRENGTHEN"
 2. Page 1, line 12.
Strike: "report"
Insert: "copies of agency reports"
 3. Page 2, line 19.
Following: "for"
Insert: ":
- (a)"

4. Page 2, line 21.

Following: "(1)"

Insert: ";

(b) strengthening higher priority programs to better serve the public"

5. Page 2, lines 23 and 24.

Following: "(3) and submit"

Strike: "a written report containing"

Insert: "copies of"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 91

Noes: Campbell, Fritz, Hansen.

Total 3

Excused: Compton, DeMars, Moore, Ream, Williams.

Total 5

Absent or not voting: D. Brown.

Total 1

Representative Russell excused at this time.

Representative Mercer moved that HB 693, as amended, do pass.
Motion failed. (47-48)

Representative Hannah moved that HB 693, as amended, do not pass.
Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Russell, Schye, Spaeth, Squires, Stang, Strizich, Thoft, Vincent, Wallin, Whalen.

Total 48

Noes: Asay, Bachini, Brandewie, Cobb, Devlin, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thomas, Winslow.

Total 46

Paired: Russell, Aye; Asay, No.

Excused: Compton, DeMars, Moore, Ream, Williams.

Total 5

Absent or not voting: Mr. Speaker.

Total 1

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (79-10)

MOTIONS

Representative Hannah moved that the House stand in recess until 6:15 p.m. Motion carried.

House recessed at 5:35 p.m.

House reconvened at 6:40 p.m.

Mr. Speaker in the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 718 - Representative Harper moved that HB 718 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 79

Noes: Campbell, Devlin, Grinde, Hayne, Menke, Nathe, Roth, Sales, Swift, Switzer, Swysgood.

Total 11

Excused: Compton, DeMars, Moore, Ream, Russell, Williams.

Total 6

Absent or not voting: Giacometto, Glaser, Hannah, Mr. Speaker.

Total 4

HB 727 - Representative Winslow moved that HB 727 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Connelly, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer,

Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow.

Total 72

Noes: Addy, Bardanouve, Cody, Cohen, Daily, Darko, Driscoll, Fritz, Hansen, Harrington, Keenan, Menahan, Nisbet, Pavlovich, Quilici, Raney, Schye, Squires, Strizich, Whalen.

Total 20

Excused: Compton, DeMars, Moore, Ream, Russell, Williams.

Total 6

Absent or not voting: D. Brown, Mr. Speaker.

Total 2

HB 734 - Representative Bulger moved that HB 734 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Compton, DeMars, Moore, Ream, Russell, Williams.

Total 6

Absent or not voting: Stang.

Total 1

HB 738 - Representative Jenkins moved that HB 738 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Cody, Raney, Thomas.

Total 3

Excused: Compton, DeMars, Moore, Ream, Russell, Williams.

Total 6

Absent or not voting: Iverson.

Total 1

Representative Harp excused at this time.

HB 744 - Representative Ramirez moved that HB 744 do pass. After debate, Representative Vincent made a substitute motion that HB 744, second reading copy, be amended as follows:

1. Page 4.

Following: line 22

Insert: "(f) Bozeman;"

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Addy, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Connelly, Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Grady, Hannah, Hansen, Harper, Harrington, Holliday, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 66

Noes: Asay, Bachini, Bardanouve, Cody, Corne', Devlin, Ellison, Giacometto, Gilbert, Gould, Grinde, Hanson, Hayne, Hoffman, Keller, Koehnke, McCormick, Miles, O'Connell, Poff, Sales, Schye, Stratford, Switzer, Swysgood.

Total 25

Excused: Compton, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 7

Absent or not voting: D. Brown, Iverson.

Total 2

HB 744, as amended, passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Hoffman, Jones, Kadas, Kennerly, Kitselman, Lory, Menke, Mercer, Miles, Miller, Nathe, Nelson, Pavlovich, Peck, Peterson, Phillips, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 63

Noes: Asay, D. Brown, Cody, Devlin, Ellison, Giacometto, Grinde, Harrington, Hayne, Holliday, Iverson, Jenkins, Keenan, Keller, Koehnke, McCormick, Manuel, Menahan, Meyers, Nisbet, O'Connell, Patterson, Pistoria, Poff, Schye, Stang, Switzer, Swysgood, Thoft, Thomas.

Total 30

Paired: Harp, Aye; Switzer, No.

Excused: Compton, DeMars, Moore, Ream, Russell, Williams.

Total 6

Absent or not voting: Glaser.

Total 1

HB 745 - Representative Ramirez moved that HB 745, second reading copy, be amended as follows:

1. Page 3, lines 2 and 3.

Strike: "every" on line 2 through "years" on line 3

2. Page 3, lines 5 and 6.

Strike: "every" on line 5 through "years" on line 6

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 83

Noes: Asay, Devlin, Ellison, Koehnke, McCormick, O'Connell, Switzer, Swysgood.

Total 8

Paired: Harp, Aye; Switzer, No.

Excused: Compton, DeMars, Moore, Ream, Russell, Williams.

Total 6

Absent or not voting: Glaser, Stang, Thoft.

Total 3

Representative Ramirez moved that HB 745, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Connelly, Corne', Darko, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah, Hansen, Harp, Harper, Hoffman, Holliday, Jones, Kadas, Kennerly, Kitselman, Lory, Manuel, Menke, Mercer, Miles, Miller, Nathe, Nelson, Pavlovich, Peck, Peterson, Phillips, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 64

Noes: Asay, D. Brown, Cody, Devlin, Ellison, Giacometto, Glaser, Grinde, Hanson, Harrington, Hayne, Iverson, Jenkins, Keenan, Keller, Koehnke, McCormick, Menahan, Meyers, Nisbet, O'Connell, Patterson, Pistoria, Poff, Schye, Stang, Switzer, Swysgood, Thoft.

Total 29

Paired: Harp, Aye; Switzer, No.

Excused: Compton, DeMars, Moore, Ream, Russell, Williams.

Total 6

Absent or not voting: Daily.

Total 1

HB 749 - Representative Squires moved that HB 749 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 81

Noes: Asay, Campbell, Devlin, Ellison, Giacometto, Hayne, Hoffman, Sales, Swift, Switzer.
Total 10

Excused: Compton, DeMars, Harp, Moore, Ream, Russell, Williams.
Total 7

Absent or not voting: Hannah, Lory.
Total 2

HB 752 - Representative Winslow moved that HB 752 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Compton, DeMars, Harp, Moore, Ream, Russell, Williams.
Total 7

Absent or not voting: Harper, Pistoria.
Total 2

Representative Daily excused at this time.

HB 765 - Representative Vincent moved that HB 765, second reading copy, be amended as follows:

1. Page 7, line 19.
Following: "programs"
Insert: "not to exceed \$50 million"
2. Page 8, line 17.
Following: "investing"
Insert: "an additional 25%"
3. Page 8, line 19.

Following: "investing"

Insert: "an additional 25%"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 88

Noes: Brandewie.

Total 1

Excused: Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 8

Absent or not voting: Kennerly, Menahan, Smith.

Total 3

Representative Winslow moved that HB 765, second reading copy, be further amended. After the question of whether the amendment changes the intent of the bill was raised, Speaker Marks moved that consideration of HB 765 be passed for the day. Motion carried.

Representative D. Brown excused at this time.

HB 769 - Representative Patterson moved that HB 769 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 86

Noes: Lory, Nisbet, Stang, Whalen.

Total 4

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: Thoft.

Total 1

HB 771 - Representative Glaser moved that HB 771 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, Bulger, Campbell, Cobb, Cody, Cohen, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 88

Noes: Nisbet.

Total 1

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: J. Brown, Connelly.

Total 2

HB 772 - Representative Brandewie moved that HB 772 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Nisbet.

Total 1

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: None.

Total 0

HB 780 - Representative Schye moved that consideration of HB 780 be passed for the day. Motion carried.

HB 783 - Representative Brandewie moved that HB 783 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips,

Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 84

Noes: Cohen, Hansen, Kadas, Miles, Nisbet, Poulsen, Whalen.

Total 7

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: None.

Total 0

HB 788 - Representative Menahan moved that HB 788 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: Schye.

Total 1

HJR 30 - Representative Lory moved that HJR 30 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 85

Noes: Jenkins, Nisbet, Sales, Squires, Stang, Thomas.

Total 6

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: None.

Total 0

HB 463 - Representative Cobb moved that HB 463 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Corne', Darko, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Roth, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 77

Noes: Bardanouve, Connelly, Donaldson, Grady, Kadas, Koehnke, Peck, Rehberg, Sales, Sands, Stang, Thoft.

Total 12

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: Nisbet, Poulsen.

Total 2

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Representative Asay made a substitute motion that HB 745 be segregated from the committee of the whole report. Motion failed. (36-50) Report adopted. (71-20)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 123 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 84

Noes: Bardanouve, Campbell, Compton, Hayne, Peterson, Thoft.

Total 6

Paired: Mercer, Aye; Compton, No.

Excused: D. Brown, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 8

Absent or not voting: Gould, Menke.

Total 2

HB 322 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 80

Noes: Campbell, Devlin, Gilbert, Gould, Iverson, Jenkins, Phillips, Poff, Quilici, Switzer, Swysgood, Thoft.

Total 12

Paired: Compton, Ayes; Swysgood, No.

Excused: D. Brown, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 503 passed as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Connelly, Corne', Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 72

Noes: Addy, Bachini, Devlin, Giacometto, Grinde, Hannah, Hayne, Hoffman, Kitselman, Koehnke, Miles, Nathe, Peck, Peterson, Ramirez, Rehberg, Swift, Switzer.

Total 18

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: Cohen.

Total 1

HB 558 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Connelly, Corne', Darko, Devlin, Donaldson,

Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 90

Noes: Cohen.
Total 1

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.
Total 9

Absent or not voting: None.
Total 0

HB 576 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Grady, Hansen, Hanson, Harrington, Hayne, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Roth, Schye, Simon, Spaeth, Stang, Stratford, Strizich, Thomas, Vincent, Whalen, Winslow, Mr. Speaker.
Total 62

Noes: Asay, Cohen, Devlin, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Harper, Hoffman, Jones, Kadas, Kitselman, Koehnke, Meyers, Nathe, Patterson, Phillips, Poff, Rehberg, Sales, Sands, Smith, Swift, Switzer, Swysgood, Thoft, Wallin.
Total 29

Paired: Compton, Aye; Hannah, No.

Excused: D. Brown, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.
Total 8

Absent or not voting: Squires.
Total 1

HB 580 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 85

Noes: Grinde, Nathe, Peck, Smith, Spaeth, Switzer.

Total 6

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: None.

Total 0

HB 598 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 90

Noes: Whalen.

Total 1

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: None.

Total 0

HB 605 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: Hoffman, McCormick.

Total 2

HB 641 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, Devlin,

Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 85

Noes: Hansen, Keller, Nathe, Peck, Rehberg, Thomas.

Total 6

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: None.

Total 0

HB 706 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Sales.

Total 1

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: None.

Total 0

HB 722 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 88

Noes: Koehnke, Nathe, Swysgood.

Total 3

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: None.

Total 0

HJR 27 passed as follows:

Ayes: Addy, Asay, Bachini, Brandewie, Bulger, Campbell, Compton, Corne', Daily, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 68

Noes: Bardanouve, Bradley, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Koehnke, Menahan, Miles, Peck, Poff, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Whalen.

Total 28

Paired: Compton, Daily, Harp, Ramirez, Rehberg, Ayes; Fritz, Kadas, Keenan, Ream, Russell, Noes.

Excused: D. Brown, DeMars, Moore, Williams.

Total 4

Absent or not voting: None.

Total 0

HJR 28 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Cody.

Total 1

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: None.

Total 0

HB 30, Governor's amendments, passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Whalen, Winslow, Mr. Speaker.

Total 86

Noes: Giacometto, Hannah, Sands, Thomas, Wallin.

Total 5

Excused: D. Brown, Compton, Daily, DeMars, Harp, Moore, Ream, Russell, Williams.

Total 9

Absent or not voting: None.

Total 0

MOTIONS

Representative Donaldson moved that HB 38, HB 385, HB 472, HB 607, and HB 744 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Schye moved that consideration of HB 780 on second reading be passed until the 43rd legislative day. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 9:00 a.m., February 21, 1987.

Motion carried.

House adjourned at 9:58 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FORTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 21, 1987

House Chambers
State Capitol

House convened at 9:30 a.m., Mr. Speaker in the Chair. Invocation by Representative Winslow. Pledge of Allegiance to the Flag.

Roll call. All members present except DeMars, Moore, Ream, and Williams, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fortieth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 2/21/87

Correctly printed: HB 66, HB 294, HB 356, HB 398, HB 491, HB 610, HB 619, HB 623, HB 760, HB 762, HB 777, HB 779, HB 792, HB 815, HB 818, HB 820, HB 823, HB 831, HB 836, HJR 16, HJR 20, HJR 26, HJR 37.

Correctly engrossed: HB 38, HB 277, HB 309, HB 372, HB 376, HB 385, HB 393, HB 430, HB 466, HB 470, HB 472, HB 530, HB 539, HB 565, HB 570, HB 607, HB 654, HB 692, HB 718, HB 727, HB 734, HB 738, HB 744, HB 749, HB 752, HB 769, HB 771, HB 772, HB 783, HB 788, HJR 30.

Signed by the Speaker at 3:50 p.m., 2/20/87: HB 203, HB 310, HB 391.

APPROPRIATIONS (Donaldson, Chairman): 2/21/87

HB 836, do pass. Report adopted.

HJR 16, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

2/20/87

HB 725, introduced bill, be amended as follows:

1. Page 2, line 2.

Following: "44-2-503"

Strike: "or"

Insert: "and"

2. Page 2, line 15.

Following: "program"

Strike: "or"

Insert: "and"

3. Page 2, line 18.

Following: "necessary"

Insert: "for a local law enforcement authority"

And, as amended, do pass. Report adopted.

HB 820, do pass. Report adopted.

2/21/87

HJR 34, introduced bill, be amended as follows:

2/20/87

1. Page 2.

Following: line 6

Insert: "the State of"

Following: "Montana"

Strike: "citizens"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

2/21/87

HB 797, do not pass.

NATURAL RESOURCES (Jones, Chairman):

2/20/87

Adverse Committee Reports

HB 831, do not pass. Chairman Jones moved to adopt the committee report. Representative Harper made a substitute motion that the adverse committee report be rejected, and the bill be printed and placed on second reading. Motion carried. (87-8)

STATE ADMINISTRATION (Sales, Chairman):

2/20/87

HB 459, introduced bill, be amended as follows:

1. Title, line 7.

Following: "SECTIONS"

Insert: "13-1-104, 13-1-302,"

Strike: ", 13-10-402, 13-38-201,"

Insert: "through 13-10-403,"

2. Page 1.

Following: line 10

Insert: "Section 1. Section 13-1-104, MCA, is amended to read:

"13-1-104. Times for holding general elections. (1) A general election shall be held throughout the state in every even-numbered year on the first Tuesday after the first Monday of November to vote on ballot issues required by Article III, section 6, or Article XIV, section 8, of the Montana constitution to be submitted by the legislature to the electors at a general election, unless an earlier date is provided in a law authorizing a special election on an initiative or referendum pursuant to Article III, section 6, and to elect federal officers, state or multicounty district officers, members of the legislature, judges of the district court, and county officers when the terms of such offices will expire before the next scheduled election for the offices or when one of the offices must be filled for an unexpired term as provided by law.

(2) A general election shall be held throughout the state in every odd-numbered year on the first Tuesday after the first Monday in November to elect municipal officers, officers of political subdivisions wholly within one county and not required to hold annual elections, and any other officers specified by law for election in odd-numbered years when the term for the offices will expire before the next scheduled election for the offices or when one of the offices must be filled for an unexpired term as provided by law.

(3) The general election for any political subdivision required to hold elections annually shall be held on regular school election day; ~~the first Tuesday of April of each year~~, and is subject to the election procedures provided for in 13-1-401."

Section 2. Section 13-1-302, MCA, is amended to read:

"13-1-302. Election costs. (1) Unless specifically provided otherwise, all costs of the regularly scheduled primary and general elections shall be paid by the counties and other political subdivisions for which the elections are held. Each political subdivision shall bear its proportionate share of the costs as determined by the county governing body.

(2) A political subdivision holding an annual election with a regularly scheduled school election shall bear its proportionate share of the costs as determined by the county election administrator and the school district election administrator.

(3) The political subdivision for which a special election is held shall bear all costs of the election, or its proportionate share as determined by the county governing body if held in conjunction with any other election.

(4) The costs of a presidential preference primary provided for in 13-10-401 must be paid by the county; however, if the primary is held in conjunction with a regularly scheduled school election, the county and the school district each shall bear a proportionate share of the costs as determined by the county election administrator and the school district election administrator.

~~(4)~~(5) Costs of elections may not include the services of the election administrator or capital expenditures.

~~(5)~~(6) The county governing body shall set a schedule of fees for services provided to school districts by the election administrator.

~~(6)~~(7) Election costs shall be paid from county funds, and any shares paid by other political subdivisions shall be credited to the fund from which the costs were paid.

~~(7)~~(8) The proportionate costs referred to in subsection (1) of this section shall be only those additional costs incurred as a result of the political subdivision holding its election in conjunction with the primary or general election.””

Renumber: subsequent sections

3. Page 1, line 19.

Strike: “A” through “ballot”

Insert: “Separate ballots for each political party”

4. Page 1, line 23 through line 19, page 2.

Strike: section 3 in its entirety

Insert: “Section 5. Section 13-10-403, MCA, is amended to read:

“13-10-403. Form of ballot. The presidential preference ballot for each political party shall list all candidates nominated in accordance with the provisions of this part and shall, in addition, include a presidential ballot position which shall be designated as “no preference” and a blank write-in space.””

5. Page 3, line 1.

Strike: “school”

6. Page 3, line 2.

Following: “.”

Insert: “(1)(a)”

Following: “title”

Insert: “and subsection (1)(b)”

7. Page 3, line 5.

Following: “.”

Insert: “(b) Presidential preference primary returns may be canvassed and reported by polling place, rather than by precinct, if the presidential preference primary is conducted in conjunction with a regularly scheduled school election.

(2)”

8. Page 3, line 8.

Following: “prevail”

Insert: “if the two elections are administered together. If they are not administered together, the provisions of Title 13 prevail.

NEW SECTION. Section 8. Arrangement of names. The provisions of 13-12-205 do not apply to the presidential preference primary ballot. An election administrator shall determine by lot the order of candidates’ names on the ballot for that county.”

Renumber: subsequent sections

9. Page 3, line 14.

Strike: “Section” through “is”

Insert: “Sections 7 and 8 are”

10. Page 3, line 16.

Strike: “section 5”

Insert: “sections 7 and 8”

11. Page 3, line 18.

Following: “legislation”

Insert: “or adoption of party rules”

And, as amended, do pass. Report adopted.

HB 767, introduced bill, be amended as follows:

1. Title, line 7.

Strike: “CONSTRUCTION”

Insert: “ENERGY MODIFICATION”

2. Title, line 9.

Strike: “CONSTRUCTION”

Insert: “ENERGY MODIFICATION”

3. Page 1, line 15.

Strike: “construction”

Insert: “energy modification”

4. Page 1, line 20.

Strike: “construction”

Insert: “energy modification”

5. Page 2, line 1.

Strike: “construction”

Insert: “energy modification”

6. Page 2.

Following: line 2

Insert: “(3) This section prohibits acquisition through the use of financing arrangements provided for in subsection (1) of a building constructed specifically for sale to the state.”

7. Page 2, line 5.

Strike: “construction”

Insert: “energy modification”

Committee attached the following statement of intent:

Statement of Intent

HB 767

A statement of intent is required for this bill because section 2 grants the director of the department of administration authority to adopt rules for

the acquisition, renovation, and energy modification of state buildings using financing arrangements provided for in section 1. These rules are intended to ensure the most economical, efficient, and cost-effective facilities for use by state agencies and the public and may not confer additional rights upon applicant lessors or vendors.

Rules adopted by the director may provide for the following:

(1) a register of and notice to prospective applicant lessors and vendors;
 (2) a procedure for developing facility specifications that reflect the views of the agency that is to use the building;

(3) life cycle cost benefit analysis of building specifications and of responsive bids that is based on all significant projected costs of the building over its useful life, including but not limited to:

(a) operating costs;
 (b) maintenance expense;
 (c) energy costs;
 (d) lease or other contract payments; and
 (e) residual or salvage value to the state at the end of the projected useful life of the facility.

(4) an evaluation process for responsive and competitive bids based on a grading system that fairly evaluates the proposals submitted by applicant lessors and vendors based on the operational requirements of the user agency as expressed in project specifications, contract performance, and cost criteria.

And, as amended, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

2/18/87

Adverse Committee Reports

HB 547, statement of intent attached, do not pass. Chairman Ramirez moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 81

Noes: Addy, Bradley, Cohen, Harper, Kadas, Keenan, Manuel, Peck, Rapp-Svrcek, Russell, Whalen.

Total 11

Excused: DeMars, Moore, Ream, Williams.

Total 4

Absent or not voting: Compton, Connelly, Peterson, Pistoria.

Total 4

MOTIONS

Representative Donaldson moved that consideration of HB 340 on second reading be passed for the day. Motion carried.

Representative Cohen moved that HB 828 be taken from the table in the Committee on Business and Labor and printed and placed on second

reading on the 43rd legislative day. After speaking on the bill, the motion was withdrawn.

Representative Thomas moved that consideration of HB 721 on second reading be passed until the 43rd legislative day. Motion carried.

Representative Thomas moved that the House reconsider its action in failing to pass HB 675 on second reading yesterday. After debate, Representative Pistoria moved the previous question. Motion carried. The motion to reconsider passed. (48-47)

Representative Compton excused at this time.

Representative Daily moved that HB 398 be taken from the table in the Committee on Rules and printed and placed on second reading. After debate, Representative D. Brown moved the previous question. Motion carried. (65-26) The Daily motion passed. (49-45)

Representative Harrington moved that HB 623 be taken from the Committee on Business and Labor and printed and placed on second reading. After debate, Representative Raney moved the previous question. Motion carried. Harrington's motion carried. (51-40)

Representative Pistoria moved that he be allowed to change his vote on the motion to reconsider HB 765, which would change the outcome. Motion denied.

Representative Bardanouve moved that consideration of HB 29 on second reading be passed until the 43rd legislative day. Motion carried.

Representative Winslow moved that consideration of HB 600 on second reading be passed until the 43rd legislative day. Motion carried.

Representative Whalen moved that HB 420 be taken from the table in the Committee on Business and Labor and printed and placed on second reading. After debate, Representative Jones moved the previous question. Motion carried. The Whalen motion failed. (30-51)

Representative Jones moved we take all the bills off the table in all the committees and place them all on second reading and abolish the committee system, because it is not being allowed to work. After debate, Representative Jones withdrew his motion.

Representative Pistoria moved that the House reconsider its action in reconsidering HB 675. Motion failed. (40-53)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Kitselman in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 28 - Representative Jenkins moved that HB 28 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke,

McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 87

Noes: Connelly, Hansen, Kadas.

Total 3

Excused: Compton, DeMars, Moore, Ream, Williams.

Total 5

Absent or not voting: Giacometto, Harper, Lory, Patterson, Pavlovich.

Total 5

HB 78 - Representative J. Brown moved that HB 78 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Cobb, Devlin, Hayne.

Total 3

Excused: Compton, DeMars, Moore, Ream, Williams.

Total 5

Absent or not voting: Harper, Harrington.

Total 2

HB 167 - Representative Gilbert moved that HB 167 do pass. Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 80

Noes: Asay, Bachini, Darko, Driscoll, Hansen, Kadas, Keenan, Menahan, Miles, Nisbet, Peck, Russell, Squires, Whalen.

Total 14

Excused: Compton, DeMars, Moore, Ream, Williams.

Total 5

Absent or not voting: D. Brown.

Total 1

Representative Compton present at this time.

HB 379 - Representative Asay moved that HB 379 do pass. Motion failed. (39-59)

Representative Hannah moved that HB 379 do not pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Harp, Harper, Harrington, Kadas, Keenan, Kennerly, Kitselman, McCormick, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Vincent, Whalen, Williams.

Total 62

Noes: Asay, Campbell, Cobb, Devlin, Ellison, Fritz, Giacometto, Hannah, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Koehnke, Lory, Manuel, Meyers, Nathe, Patterson, Peterson, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Smith, Stratford, Switzer, Thomas, Wallin, Winslow, Mr. Speaker.

Total 35

Paired: Moore, Ream, Williams, Ayes; Cobb, Ellison, Sales, Noes.

Excused: DeMars.

Total 1

Absent or not voting: Hansen, Poulsen.

Total 2

HB 400 - Representative Manuel moved that HB 400 do pass. Motion carried as follows:

Ayes: Bachini, Brandewie, Bulger, Campbell, Cobb, Daily, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Mr. Speaker.

Total 65

Noes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Corne', Darko, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Menahan, Miles, Nisbet, Quilici, Raney, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent.

Total 29

Excused: DeMars, Moore, Ream, Williams.

Total 4

Absent or not voting: Asay, Winslow.

Total 2

HB 406 - Representative Grady moved that HB 406 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 86

Noes: Bardanouve, Cody, Devlin, Ellison, Grinde, Harp, Poff, Rapp-Svrcek, Switzer.

Total 9

Excused: DeMars, Moore, Ream, Williams.

Total 4

Absent or not voting: Hayne.

Total 1

HB 454 - Representative Brandewie moved that HB 454 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cohen, Compton, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 84

Noes: Campbell, Cody, Devlin, Iverson, Patterson, Poff, Schye, Switzer, Swysgood.

Total 9

Excused: DeMars, Moore, Ream, Williams.

Total 4

Absent or not voting: D. Brown, Connelly, Harper.

Total 3

HB 461 - Representative Corne' moved that HB 461 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich,

Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: DeMars, Moore, Ream, Williams.

Total 4

Absent or not voting: Connelly, Harper, Squires.

Total 3

HB 464 - Representative Cobb moved that HB 464 do pass. Motion failed. (40-54)

Representative Hannah moved that HB 464 do not pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, J. Brown, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Eudaily, Gilbert, Glaser, Grady, Grinde, Hansen, Harper, Hayne, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, Menke, Meyers, Miles, Nelson, Nisbet, Peck, Poff, Poulsen, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Thoft, Vincent, Wallin, Mr. Speaker.

Total 51

Noes: Bachini, Brandewie, Bulger, Campbell, Cobb, Daily, Driscoll, Ellison, Fritz, Giacometto, Gould, Hannah, Hanson, Harp, Harrington, Hoffman, Holliday, Iverson, Jenkins, Keller, McCormick, Manuel, Menahan, Mercer, Miller, Nathe, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Rapp-Svrcek, Schye, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Whalen, Winslow.

Total 44

Excused: DeMars, Moore, Ream, Williams.

Total 4

Absent or not voting: D. Brown.

Total 1

HB 492 - Representative Miles moved that HB 492, second reading copy, be amended as follows:

1. Page 8, line 6.

Strike: "\$4"

Insert: "\$3"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 85

Noes: Campbell, Grady, Hayne, Hoffman, McCormick, Menke, Nathe, O'Connell, Swift, Swysgood, Thoft.

Total 11

Excused: DeMars, Moore, Ream, Williams.

Total 4

Absent or not voting: None.

Total 0

Representative Miles moved that HB 492, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Gould, Grady, Hannah, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Miles, Miller, Nelson, Nisbet, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Russell, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 66

Noes: Asay, Campbell, Devlin, Giacometto, Gilbert, Glaser, Grinde, Hanson, Hayne, Hoffman, Jones, McCormick, Menke, Mercer, Meyers, Nathe, O'Connell, Patterson, Phillips, Poff, Roth, Sales, Sands, Smith, Swift, Switzer, Swysgood, Thoft.

Total 28

Excused: DeMars, Moore, Ream, Williams.

Total 4

Absent or not voting: D. Brown, Ellison.

Total 2

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kitselman moved the adoption of the committee report. Report adopted. (87-4)

MOTIONS

Representative Donaldson moved that HB 492 and HB 376 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Hannah moved that the House stand in recess until 1:30 p.m. Motion carried.

House recessed at 12:20 p.m.

House reconvened at 1:45 p.m.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Jenkins, Vice-Chairman):

2/21/87

HB 779, do pass. Report adopted.

HB 814, introduced bill, be amended as follows:

2/20/87

1. Title, line 7.

Following: "ESTABLISHMENTS;"

Insert: "APPROPRIATING MONEY TO OPERATE THE PROGRAM;"

2. Page 28.

Following: line 21

Insert: "NEW SECTION. Section 26. Appropriation. (1) There is appropriated the following amounts from the general fund to the board of livestock to match federal funds available to establish and operate a state meat inspection program:

(a) fiscal year ending June 30, 1988	\$139,400
--------------------------------------	-----------

(b) fiscal year ending June 30, 1989	136,900
--------------------------------------	---------

(2) There is appropriated the following amounts from the federal special revenue fund to the board of livestock to establish and operate a state meat inspection program:

(a) fiscal year ending June 30, 1988	\$139,400
--------------------------------------	-----------

(b) fiscal year ending June 30, 1989	136,900"
--------------------------------------	----------

Committee attached the following statement of intent:

Statement of Intent
HB 814

This bill requires a statement of intent because section 4 requires the board of livestock to adopt rules implementing the state meat inspection program. Section 4 indicates the scope of the rules. It is intended that the rules conform in all respects to the requirements of the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act, in order to qualify the state program under those acts. It is also intended that the program be developed and administered in cooperation with the food safety and inspection service, United States department of agriculture, to ensure that it is at least "equal to" the requirements contained in the federal law.

And, as amended, do pass. Report adopted.

HJR 36, do pass. Report adopted.

2/21/87

HJR 38, introduced bill, be amended as follows:

1. Page 1, line 25.

Following: "government"

Strike: "programs"

Insert: "payments"

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

2/17/87

HB 291, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "\$15"

Insert: "\$2"

2. Title, line 8.

Following: "SURCHARGE"

Strike: "AND"

Insert: "PROVIDING A CONTINGENT INCREASE IN THE FUEL CONSERVATION SPEED LIMIT;"

3. Title, line 9.

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS 61-8-304 AND"

Following: "MCA"

Insert: "; AND PROVIDING A CONTINGENT EFFECTIVE DATE"

4. Page 1, line 19.

Strike: "\$15"

Insert: "\$2"

5. Page 1, line 21.

Strike: "\$20"

Insert: "\$7"

6. Page 2, line 2.

Strike: "\$15"

Insert: "\$2"

7. Page 2, line 6.

Following: "fund"

Insert: "for the purpose of funding the light vehicle mail reregistration and reminder notice procedure of 61-3-535. Any excess remaining in the account at the end of the fiscal year must be remitted to the general fund"

8. Page 2.

Following: line 12

Insert: "Section 2. Section 61-8-304, MCA, is amended to read:

"61-8-304. Fuel conservation speed limit — exception to the basic rule. (1) In order to insure conservation of a resource, the speed limit for vehicles traveling on a federal-aid interstate highway is 65 miles an hour and the speed limit for vehicles traveling on any other public highway of this state is 55 miles an hour, except as provided under 61-8-309.

(2) A speed limit imposed pursuant to this section is an exception to the requirements of 61-8-303 and 61-8-312, and a speed in excess of the speed limit established pursuant to this section is unlawful notwithstanding any provision of 61-8-303 and 61-8-312."

NEW SECTION. Section 3. Effective date. Section 2 and this section are effective if and when the federal law that requires a speed limit as a condition to the state's eligibility to receive federal highway funds is amended to permit a speed limit of 65 miles an hour on rural federal-aid interstate highways. If the federal law is amended in this manner, section 2 and this section become effective on the date the governor by proclamation certifies that the speed limit of 65 miles an hour for rural interstate highways is allowed."

And, as amended, do pass. Report adopted.

FISH AND GAME (Ellison, Chairman):

2/20/87

HB 486, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "SECTION"

Insert: "SECTIONS 87-3-301 AND"

2. Page 1, line 20.

Following: "deer"

Strike: "and"

Insert: "or"

Following: "elk"

Insert: "or both deer and elk"

3. Page 1, line 21.

Following: "where"

Strike: "shotguns only"

Insert: "only bow and arrow or shotguns or both"

Following: "deer"

Strike: "and"

Insert: "or"

4. Page 1, line 22.

Following: "deer"

Strike: "and"

Insert: "or"

Following: "elk"

Insert: "or both deer and elk"

5. Page 1, line 23.

Following: "of"

Strike: "shotguns only"

Insert: "only bow and arrow or shotguns or both"

Following: "may"

Strike: "shall"

Insert: "may"

6. Page 1, line 24.

Following: "muzzleloaders"

Strike: "(rifled or smoothbore)"

Insert: "with restrictions as necessary for safety"

7. Page 3.

Following: line 20

Insert: "Section 2. Section 87-3-301 is amended to read:

"87-3-301. Shotgun loads regulated by department. No person may use a shotgun to hunt, kill, or shoot deer or elk except with weapon type and loads as specified by the department."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

JUDICIARY (Lory, Chairman):

2/20/87

HB 240, introduced bill, be amended as follows:

1. Title, line 4.

Following: "PROVIDING"

Strike: "FOR"

Insert: "A CAUSE OF ACTION FOR AND"

2. Title, line 7.

Strike: "SECTIONS"

Insert: "SECTION"

3. Title, line 8.

Following: "33-1-317,"

Strike: "33-18-201, AND"

Insert: "MCA; REPEALING SECTION"

4. Title, line 9.

Strike: "IMMEDIATE"

5. Page 1, line 25 through page 4, line 8.

Strike: section 2 in its entirety

6. Page 2, line 2.

Strike: "(1)"

7. Page 2, line 5.

Strike: "(a)"

Insert: "(1)"

Renumber: subsequent subsections

8. Page 4, line 5 through line 8.

Strike: subsection (2) in its entirety

9. Page 4, line 9.

Following: "Section 3."

Insert: "Repealer."

Following: "is"

Insert: "repealed."

Strike: remainder of line 9 through "plaintiff." on line 3, page 5

10. Page 5, line 8.

Strike: "(1)(a), (1)(d), (1)(f), or (1)(m)"

Insert: "(1), (4), (5), (6), (9), or (13)"

11. Page 5, line 21.

Strike: "(1)(a), (1)(d), (1)(f), or (1)(m)"

Insert: "(1), (4), (5), (6), (9), or (13)"

12. Page 5, line 22.

Following: "33-18-201."

Insert: "Exemplary damages may also be assessed in accordance with 27-1-221."

13. Page 5, line 23.

Following: "(5)"

Strike: remainder of line 23 through line 2, page 6

Insert: "An insurer may not be held liable under this section if the insurer had a reasonable basis in law or in fact for contesting the claim or the amount of the claim, whichever is in issue.

(6) (a) An insured may file an action under this section, together with any other cause of action the insured has against the insurer. Actions may be bifurcated for trial where justice so requires.

(b) A third-party claimant may not file an action under this section until after the underlying claim has been settled or a judgment entered in favor of the claimant on the underlying claim.

(7) The period prescribed for commencement of an action under this section is:

(a) for an insured, within 2 years from the date of the violation of 33-18-201; and

(b) for a third-party claimant, within 1 year from the date of the settlement of or the entry of judgment on the underlying claim.

(8) As used in this section, an insurer includes a person, firm, or corporation utilizing self-insurance to pay claims made against them."

14. Page 6, lines 4 and 6.

Strike: "4"

Insert: "3"

15. Page 6, line 17.

Strike: "passage and approval"

Insert: "July 1, 1987"

And, as amended, do pass. Report adopted.

HB 414, do pass. Report adopted.

2/21/87

HB 474, introduced bill, be amended as follows:

2/20/87

1. Page 1, lines 14 through 16.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 482, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: "town"

Insert: "or third-class city"

2. Page 1, line 14.

Following: "town"

Insert: "or city"

3. Page 1, line 16.

Following: "court"

Insert: "and enter into an agreement with the county for proportionate payment of salaries and training expenses"

4. Page 1, line 18.

Following: "designation"

Insert: "and approval by the board of county commissioners"

5. Page 1, line 20.

Following: "violations of"

Insert: "statutes or"

6. Page 1, lines 20 and 21.

Strike: "in which" on line 20 through "party" on line 21

7. Page 1, line 25.

Following: "~~held~~."

Insert: "If the justice of the peace must travel from his place of residence to hold court, he shall be paid his actual and necessary travel expenses, as defined and provided in 2-18-501 through 2-18-503, by the town or city in which the court is held."

And, as amended, do pass. Report adopted.

HB 546, introduced bill, be amended as follows:

1. Page 1, line 16.

Following: "\$500"

Insert: ", except for an offense under 61-8-401 or 61-8-406,"

Strike: "~~or~~"

Insert: "and"

2. Page 3, line 7.

Following: "~~rebuttable~~."

Insert: "Such presumption is rebuttable."

And, as amended, do pass. Report adopted.

HB 564, introduced bill, be amended as follows:

1. Title, lines 5 through 7.
Strike: "ALLOWING" on line 5 through "LOCATED;" on line 7
2. Title, line 10.
Strike: "3-11-205,"
3. Page 2, lines 1 through 4.
Strike: subsection (3) in its entirety
4. Page 3, lines 14 through 16.
Strike: "The salary" on line 14 through "3-10-207." on line 16
5. Pages 4 and 5.
Strike: section 6 in its entirety

And, as amended, do pass. Report adopted.

HB 577, introduced bill, be amended as follows:

1. Title, line 5.
Following: "TRAINING"
Insert: "A YEAR"
Following: "OFFICERS"
Insert: "AND PAROLE OFFICERS"
2. Page 1, lines 22 and 23.
Strike: "at" on line 22 through "had" on line 23
3. Page 2, line 1.
Following: "subsection (1)."
Insert: "(3) Each person appointed as a chief probation officer or probation officer under this section or as a deputy probation officer under 41-5-705 must, at his employer's expense and through a source approved by his employer, obtain 16 hours a year of training in subjects relating to the powers and duties of probation officers."
4. Page 2, line 5.
Following: "officers."
Insert: "(1)"
5. Page 2, line 6.
Strike: " "
Insert: "and"
6. Page 2, lines 7 and 8.
Strike: " ₂ and" on line 7 through "officer" on line 8
7. Page 2, line 15.
Following: "opportunity."
Insert: "(2) Each probation and parole officer must, at his employer's expense and through a source approved by his employer, obtain 16 hours a year of training in subjects relating to the powers and duties of probation officers."

And, as amended, do pass. Report adopted.

HB 670, introduced bill, be amended as follows:

1. Title, line 7.
Strike: "AND"
2. Title, line 9.
Following: "OFFICERS"

Insert: “; AND PROVIDING AN EFFECTIVE DATE”

3. Page 2.

Following: line 19

Insert: “Section 5. Effective date. This act is effective July 1, 1987.”

And, as amended, do pass. Report adopted.

HB 761, do pass. Report adopted.

2/21/87

HB 800, introduced bill, be amended as follows:

2/20/87

1. Title, line 6.

Strike: “SECTIONS”

Insert: “SECTION”

Strike: “AND”

2. Title, line 7.

Strike: “40-5-414”

3. Page 2, lines 6 and 7.

Strike: “at any” on line 6 through “40-5-415” on line 7

4. Page 2, lines 16 through 18.

Strike: subsection (4) in its entirety

5. Page 2, line 19 through line 24, page 3.

Strike: section 2 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 846, introduced by Hoffman, Wallin, E. Smith, Nathe, Hanson, Keller, Swysgood. Referred to Committee on Taxation.

HB 847, introduced by Rapp-Svrcek. Referred to Committee on Business and Labor.

HB 848, introduced by Stang, Rapp-Svrcek, C. Smith, Jones, Swift, McCallum, Darko, Farrell, Severson, Thomas. Referred to Committee on Taxation.

HJR 40, introduced by Asay, Keller, Gould, Menahan, Hayne, Wallin, Peterson, Nathe, Donaldson. Referred to Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Kitselman in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Cohen and Thomas excused at this time.

HB 535 - Representative Ellison moved that HB 535 do pass. Representative Daily made a substitute motion that HB 535 do not pass. Motion failed. (37-55)

HB 535 passed as follows:

Ayes: Asay, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Nathe, Peterson, Phillips, Pistoria, Poulsen, Rapp-Svrcek, Roth, Sales, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 55

Noes: Addy, Bachini, Bardanouve, Bradley, Cody, Corne', Daily, Driscoll, Gilbert, Grinde, Hannah, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Kitselman, McCormick, Menahan, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Poff, Quilici, Ramirez, Raney, Rehberg, Russell, Sands, Squires, Vincent, Whalen, Winslow.

Total 39

Paired: Cohen, Thomas, Ayes; Keenan, Quilici, Noes.

Excused: DeMars, Moore, Ream, Williams.

Total 4

Absent or not voting: D. Brown, Strizich.

Total 2

HB 568 - Representative Fritz moved that HB 568 do pass. Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 80

Noes: Asay, Bachini, Cobb, Compton, Connelly, Devlin, Giacometto, Gilbert, Kadas, Meyers, Simon, Switzer.

Total 12

Excused: Cohen, DeMars, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: D. Brown, Strizich.

Total 2

HB 635 - Representative Simon moved that HB 635 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 89

Noes: Raney.

Total 1

Excused: Cohen, DeMars, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: Bardanouve, D. Brown, Harper, Strizich.

Total 4

Representative Cohen present at this time.

HB 696 - Representative Hannah moved that HB 696 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Brandewie, Campbell, Compton, Daily, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Wallin, Mr. Speaker.

Total 52

Noes: Addy, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Corne', Darko, Driscoll, Fritz, Grady, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Lory, McCormick, Menahan, Miles, Nisbet, O'Connell, Peck, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Winslow.

Total 41

Excused: DeMars, Moore, Ream, Thomas, Williams.

Total 5

Absent or not voting: Bardanouve, Connelly.

Total 2

HB 708 - Representative Nelson moved that HB 708 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hannah, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Mercer, Miles, Miller, Nelson, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 75

Noes: Asay, Cobb, Cody, Devlin, Grady, Grinde, Hanson, Hayne, Hoffman, McCormick, Menke, Meyers, Nathe, Nisbet, O'Connell, Peck, Pistoria, Swift, Thoft.

Total 19

Excused: DeMars, Moore, Ream, Thomas, Williams.

Total 5

Absent or not voting: Connelly.

Total 1

HB 724 - Representative Miller moved that HB 724 do pass. Representative Bradley made a substitute motion that HB 724, second reading copy, be amended. Amendment failed. (28-66)

HB 724 passed as follows:

Ayes: Addy, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Whalen, Winslow, Mr. Speaker.

Total 68

Noes: Asay, Bachini, Bardanouve, Bradley, D. Brown, Corne', Daily, Darko, Fritz, Harp, Harper, Kadas, Kennerly, Koehnke, McCormick, Miles, Nisbet, Pavlovich, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Russell, Spaeth, Vincent, Wallin.

Total 27

Excused: DeMars, Moore, Ream, Thomas, Williams.

Total 5

Absent or not voting: None.

Total 0

Representative Ellison excused at this time.

HB 729 - Representative Winslow moved that HB 729, second reading copy, be amended as follows:

1. Title, line 6.

Following: "FACILITY"

Insert: "WHOSE PRIMARY PURPOSE IS THE TRANSPORTATION AND TEMPORARY STORAGE OF HAZARDOUS MATERIALS"

2. Page 1, line 13.

Following: "facility"

Insert: "whose primary purpose is the transportation and temporary storage of hazardous materials."

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Whalen, Winslow.

Total 87

Noes: Cody, Gould, Nisbet, Wallin.

Total 4

Excused: DeMars, Ellison, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: Addy, Squires, Mr. Speaker.

Total 3

Representative Winslow moved that HB 729, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 91

Noes: Cody.

Total 1

Excused: DeMars, Ellison, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: J. Brown, Connelly.

Total 2

HB 702 - Representative Vincent moved that HB 702, second reading copy, be amended as follows:

1. Page 2, line 8.

Following: "commission."

Insert: "The director shall report progress on the study to date at each meeting."

2. Page 2, line 25.

Strike: "THE LEGISLATIVE" through "COMMISSION." on line 2, page 3

Insert: "and facilities. (1) The commission shall appoint a director and fix his salary and compensation. The director, subject to the approval of the commission, shall hire the necessary staff and fix their compensation, and he may contract with consultants as needed.

(2) The department of administration shall provide necessary meeting facilities in the capitol for the commission and office space, equipment, and supplies for its staff."

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Grady, Hansen, Harp, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams, Winslow.

Total 54

Noes: Asay, Brandewie, Campbell, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.
Total 46

Paired: Addy, DeMars, Harper, Moore, Ream, Williams, Ayes; Brandewie, Ellison, Eudaily, Giacometto, Swift, Thomas, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Vincent moved that HB 702, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Grady, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Vincent, Wallin, Whalen, Williams, Mr. Speaker.
Total 67

Noes: Campbell, Cobb, Devlin, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Keller, Kitselman, Menke, Meyers, Nathe, Patterson, Phillips, Ramirez, Rehberg, Roth, Sales, Stratford, Swift, Switzer, Swysgood, Thoft.
Total 28

Paired: Moore, Ream, Williams, Ayes; Meyers, Ramirez, Rehberg, Noes.

Excused: DeMars, Ellison, Thomas.
Total 3

Absent or not voting: Miller, Winslow.
Total 2

HB 731 - Representative D. Brown moved that HB 731, second reading copy, be amended as follows:

1. Title, line 8.
Strike: "THE STATE"
Insert: "A UNIFORM"
2. Title, line 9.
Strike: "2-18-103,"
3. Title, line 13.
Strike: "EFFECTIVE DATES"
Insert: "AN EFFECTIVE DATE"
4. Page 3.
Following: line 6
Insert: "(e) establish and implement an employee classification and pay plan applicable to all full-time and session employees of the legislature and its committees;"

Renumber: subsequent subsections

5. Page 15.

Following: line 4

Strike: section 11 in its entirety

6. Page 16, line 10.

Strike: "sections 1 through 17"

Insert: "[this act]"

7. Page 16, line 12.

Strike: "sections 2 through 17"

Insert: "[this act]"

8. Page 16, line 20.

Strike: "sections 2 through 17"

Insert: "[this act]"

9. Page 17, line 5.

Strike: "dates." through "are" on line 7

Insert: "date. This act is"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: DeMars, Ellison, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: None.

Total 0

Representative Rehberg moved that HB 731, as amended, do pass.
Motion failed. (43-53)

Representative Hannah moved that HB 731, as amended, do not pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Eudaily, Fritz, Hansen, Harper, Harrington, Holliday, Iverson, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Simon, Squires, Stang, Strizich, Vincent, Wallin, Whalen, Williams, Winslow.

Total 53

Noes: Brandewie, Campbell, Compton, Devlin, Donaldson, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne,

Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Mr. Speaker.

Total 42

Paired: Ream, Williams, Ayes; Hayne, Ramirez, Noes.

Excused: DeMars, Ellison, Moore, Thomas.

Total 4

Absent or not voting: Hoffman.

Total 1

HB 737 - Representative D. Brown moved that HB 737 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 93

Noes: Switzer.

Total 1

Excused: DeMars, Ellison, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: None.

Total 0

HB 740 - Representative Cobb moved that HB 740 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Winslow, Mr. Speaker.

Total 89

Noes: Cohen, Darko, Driscoll, Whalen.

Total 4

Excused: DeMars, Ellison, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: Devlin.

Total 1

HB 747 - Representative Gould moved that HB 747 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: DeMars, Ellison, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: None.

Total 0

HB 750 - Representative Gilbert moved that HB 750 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: DeMars, Ellison, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: Jones.

Total 1

HB 755 - Representative Cobb moved that HB 755 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel,

Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: DeMars, Ellison, Moore, Ream, Thomas, Williams.

Total 6

Absent or not voting: Jones.

Total 1

Representative Harrington excused at this time.

HB 784 - Representative Smith moved that HB 784 do pass. Representative Whalen made a substitute motion that consideration of HB 784 be passed for the day. Motion failed.

HB 784 failed to pass. (45-48)

Representative Hannah moved that HB 784 do not pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Fritz, Hannah, Hansen, Harper, Hoffman, Holliday, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Nisbet, O'Connell, Pavlovich, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Russell, Sands, Schye, Spaeth, Squires, Stang, Strizich, Switzer, Vincent, Whalen.

Total 50

Noes: Asay, Brandewie, Campbell, Compton, Devlin, Donaldson, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Rehberg, Roth, Sales, Simon, Smith, Stratford, Swift, Swysgood, Thoft, Wallin, Winslow, Mr. Speaker.

Total 43

Excused: DeMars, Ellison, Harrington, Moore, Ream, Thomas, Williams.

Total 7

Absent or not voting: None.

Total 0

HB 796 - Representative Driscoll moved that HB 796, second reading copy, be amended as follows:

1. Title, line 7.

Following: "BINGO"

Insert: "AND VIDEO DRAW POKER"

Strike: "AND"

2. Title, line 8.

Following: "23-5-414,"

Insert: "AND 23-5-603,"

3. Page 3.

Following: line 10

Insert: "Section 3. Section 23-5-603, MCA, is amended to read:

"23-5-603. Video draw poker machines — possession — play — hours of play — restriction. No person may place an electronic video game machine that simulates or offers a game of poker in his licensed establishment unless he is licensed under 23-5-612. Machines licensed under 23-5-612 are legal, and it is legal to play such machines, except that a person under the age of 18 years may not play a video draw poker machine and an establishment that receives a license to make a video draw poker machine available for play must be closed each day during the hours provided in 16-3-304 for closure of licensed retail alcoholic beverage establishments. The provisions of part 3 of this chapter do not apply to or prohibit video draw poker machines or the playing of such machines."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanoue, Bradley, Brandewie, J. Brown, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Gilbert, Glaser, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Iverson, Jenkins, Keenan, Keller, Kitselman, Lory, Manuel, Menahan, Menke, Mercer, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 66

Noes: D. Brown, Bulger, Campbell, Cobb, Devlin, Fritz, Giacometto, Gould, Grinde, Hoffman, Holliday, Jones, Kadas, Kennerly, Koehnke, McCormick, Meyers, Miles, Phillips, Pistoria, Raney, Sales, Stang, Strizich, Switzer, Swysgood.

Total 26

Excused: DeMars, Ellison, Harrington, Moore, Ream, Thomas, Williams.

Total 7

Absent or not voting: Grady.

Total 1

Representative Grady moved that HB 796, second reading copy, be further amended as follows:

1. Page 3, line 5.

Strike: "five"

Insert: "10"

Amendment passed as follows:

Ayes: Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow.

Total 69

Noes: Addy, Asay, Bardanouve, Cobb, Cohen, Corne', Gilbert, Hannah, Hansen, Harper, Kadas, Koehnke, Nelson, Pavlovich, Peck, Poulsen, Quilici, Ramirez, Russell, Sales.

Total 20

Excused: DeMars, Ellison, Harrington, Moore, Ream, Thomas, Williams.

Total 7

Absent or not voting: Bradley, Menke, Squires, Mr. Speaker.

Total 4

Representative Driscoll moved that HB 796, as amended, do pass.

Representative Driscoll made a substitute motion that HB 796 be placed below HB 592 on the second reading board for amendment.

Motion carried.

Representative Iverson in the Chair.

HB 803 - Representative Kitselman moved that HB 803, second reading copy, be amended as follows:

1. Strike the Statement of Intent in its entirety.

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 81

Noes: Kadas, Raney.

Total 2

Excused: DeMars, Ellison, Harrington, Moore, Ream, Thomas, Williams.

Total 7

Absent or not voting: Bardanouve, D. Brown, Bulger, Connelly, Eudaily, Kennerly, Kitselman, Miles, Stang, Strizich.

Total 10

Representative Kitselman in the Chair.

Representative Campbell moved that HB 803, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 86

Noes: Fritz, Giacometto, Raney.

Total 3

Excused: DeMars, Ellison, Harrington, Moore, Ream, Thomas, Williams.

Total 7

Absent or not voting: D. Brown, Connelly, Miles, Stang.

Total 4

HB 806 - Representative Pavlovich moved that HB 806 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 92

Noes: Eudaily.

Total 1

Excused: DeMars, Ellison, Harrington, Moore, Ream, Thomas, Williams.

Total 7

Absent or not voting: None.

Total 0

HB 825 - Representative McCormick moved that HB 825 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow.

Total 91

Noes: None.

Total 0

Excused: DeMars, Ellison, Harrington, Moore, Ream, Thomas, Williams.

Total 7

Absent or not voting: Stratford, Mr. Speaker.

Total 2

HB 284 - Representative Darko moved that HB 284 do pass. Representative Darko made a substitute motion that HB 284 be placed below HB 371 on the second reading board. Motion carried.

HB 316 - Representative Addy moved that HB 316 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: DeMars, Ellison, Harrington, Moore, Ream, Thomas, Williams.

Total 7

Absent or not voting: Manuel.

Total 1

HB 417 - Representative J. Brown moved that HB 417 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Hansen, Harp, Harper, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nisbet, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Vincent, Whalen.

Total 55

Noes: Asay, Bardanouve, Bulger, Campbell, Compton, Devlin, Giacometto, Grinde, Hannah, Hanson, Hayne, Hoffman, Keller, Kitselman, Koehnke, Menke, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Sales, Sands, Stratford, Swift, Switzer, Swysgood, Thoft, Wallin, Mr. Speaker.

Total 34

Excused: DeMars, Ellison, Harrington, Moore, Ream, Thomas, Williams.

Total 7

Absent or not voting: Glaser, Mercer, O'Connell, Winslow.

Total 4

HB 429 - Representative Schye moved that HB 429 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Hannah, Hansen, Hanson, Harp, Harper, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Vincent, Wallin, Mr. Speaker.

Total 73

Noes: Campbell, Compton, Glaser, Grinde, Hoffman, Nathe, Swift, Swysgood, Thoft.

Total 9

Excused: DeMars, Ellison, Harrington, Moore, Ream, Thomas, Williams.

Total 7

Absent or not voting: Bardanouve, Cobb, Grady, Hayne, Iverson, Lory, Menke, Poulsen, Quilici, Whalen, Winslow.

Total 11

HB 592 - Representative Harp moved that HB 592 do pass. Motion carried as follows:

Ayes: Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Smith, Stratford, Switzer, Swysgood, Thoft, Thomas, Winslow, Mr. Speaker.

Total 49

Noes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Vincent, Wallin, Whalen, Williams.

Total 48

Paired: Devlin, Giacometto, Ramirez, Rehberg, Thomas, Ayes; Harrington, Keenan, Moore, Ream, Williams, Noes.

Excused: DeMars, Ellison.

Total 2

Absent or not voting: Swift.

Total 1

HB 796 - Representative Stang moved that HB 796, second reading copy, be amended as follows:

1. Page 3, line 5.

Strike: "five"

Insert: "ten"

2. Page 3, line 6.

Following: "machines"

Insert: "unless otherwise determined by local authority"

3. Page 3, line 8.

Strike: "be closed" through "establishments" on line 10

Insert: "have hours of play determined by local authority"

Amendment passed as follows:

Ayes: Bachini, Brandewie, D. Brown, J. Brown, Campbell, Compton, Corne', Darko, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Hoffman, Holliday, Jones, Kennerly, Koehnke, Lory, Miles, Miller, Nathe, Nelson, Peck, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales,

Sands, Simon, Smith, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Winslow.

Total 50

Noes: Addy, Bardanouve, Bulger, Cobb, Cody, Cohen, Connelly, Daily, Driscoll, Gilbert, Gould, Hannah, Harper, Hayne, Iverson, Jenkins, Kadas, Keenan, Keller, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Nisbet, Patterson, Pavlovich, Poulsen, Quilici, Ramirez, Schye, Spaeth, Stratford, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 40

Paired: Eudaily, Aye; Thomas, No.

Excused: DeMars, Ellison, Harrington, Moore, Ream, Williams.

Total 6

Absent or not voting: Asay, Bradley, Kitselman, O'Connell.

Total 4

Representative Driscoll moved that HB 796, second reading copy, be further amended. Representative Driscoll withdrew his amendment.

Representative Driscoll moved that consideration of HB 796 be passed for the day for amendment. Motion carried. (67-22)

Representative O'Connell excused at this time.

HB 642 - Representative Spaeth moved that HB 642, second reading copy, be amended as follows:

1. Page 2, line 24.

Following: "minute"

Insert: " , except that a combined appropriation from two or more wells or developed springs exceeding this limitation requires a permit"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: Connelly, Harper, Menke, Mercer, Pavlovich.

Total 5

Representative Spaeth moved that HB 642, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 89

Noes: Nathe.

Total 1

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: Mercer, Peterson.

Total 2

HB 371 - Representative Addy moved that HB 371 do pass. Representative D. Brown made a substitute motion that HB 371 do not pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Hoffman, Iverson, Jenkins, Jones, Kadas, Keenan, Koehnke, McCormick, Menahan, Menke, Meyers, Miles, Miller, Nisbet, O'Connell, Poff, Raney, Rapp-Svrcek, Ream, Schye, Simon, Smith, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Whalen, Mr. Speaker.

Total 52

Noes: Addy, Asay, Bradley, Brandewie, Cobb, Corne', Daily, Donaldson, Giacometto, Gilbert, Hanson, Harp, Hayne, Holliday, Keller, Kennerly, Kitselman, Lory, Manuel, Mercer, Nathe, Nelson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Spaeth, Stratford, Switzer, Vincent, Wallin, Winslow.

Total 41

Paired: O'Connell, Ream, Ayes; Ramirez, Rehberg, Noes.

Excused: DeMars, Ellison, Harrington, Moore, Thomas, Williams.

Total 6

Absent or not voting: Patterson.

Total 1

HB 284 - Representative Darko moved that HB 284, second reading copy, be amended as follows:

1. Page 2, line 2.

Following: "interference"

Insert: " , "

2. Page 2, line 4.

Following: "WITHOUT"

Strike: "THE"

3. Page 2, line 5.

Strike: "CUSTODIAL PARENT"

Insert: "person entitled to visitation pursuant to an existing court order,"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: Pistoria.

Total 1

Representative Darko moved that HB 284, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: Meyers.

Total 1

HB 765 - Representative Vincent moved that HB 765 do pass. Representative Winslow made a substitute motion that HB 765, second reading copy, be amended. Amendment failed. (46-54)

HB 765 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko,

DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Holliday, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Switzer, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 75

Noes: Asay, Campbell, Compton, Devlin, Giacometto, Gilbert, Hanson, Hayne, Hoffman, Iverson, Keller, Menke, Meyers, Nathe, Phillips, Sales, Sands, Stratford, Swift, Swysgood, Thoft, Wallin.

Total 22

Paired: DeMars, Harrington, Moore, O'Connell, Ream, Williams, Ayes; Asay, Giacometto, Hayne, Phillips, Sales, Swysgood, Noes.

Excused: Ellison, Thomas.

Total 2

Absent or not voting: Glaser.

Total 1

HJR 21 - Representative Mercer moved that HJR 21 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Vincent, Wallin, Winslow, Mr. Speaker.

Total 85

Noes: Addy, Bulger, Cody, Swysgood, Thoft, Whalen.

Total 6

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: Kitselman.

Total 1

HJR 32 - Representative Vincent moved that HJR 32 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth,

Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 88

Noes: Fritz, Gilbert.

Total 2

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: Campbell, Kitselman.

Total 2

HB 675 - Representative D. Brown moved that HB 675, second reading copy, be amended as follows:

1. Title, line 12.

Strike: "SECTIONS" through "50-40-109" on line 13

Insert: "SECTIONS 50-40-102 AND 50-40-104"

2. Page 3, line 3.

Strike: "taverns or bars where meals are not served"

Insert: "those enclosed public places provided for in 50-40-105 and as provided in 50-40-201"

3. Page 3, line 4.

Following: "proprietor"

Strike: " "

Insert: "²or"

Following: "manager"

Strike: "₂ person in charge"

4. Page 3, line 5.

Strike: "establishment containing an"

Following: line 5

Insert: "(a) designate nonsmoking areas with easily readable signs, or"

Renumber: subsequent subsections

5. Page 3, line 9.

Strike: "smokers"

Insert: "nonsmokers"

6. Page 3, line 11.

Strike: "enclosed public place"

Insert: "area"

7. Page 3, line 12.

Strike: "nonsmoking"

Insert: "smoking"

8. Page 3, line 14.

Following: "(c)"

Insert: "the proprietor or manager of an establishment containing enclosed public places shall"

9. Page 3, line 19.

Strike: "smokers"

Insert: "nonsmokers"

10. Page 3, line 20.

Strike: " "

Insert: "or"

Strike: "or person in charge"

11. Page 3, lines 23 and 24.

Strike: "designate the areas or"

12. Page 3, line 24.

Strike: "the signs"

Insert: "a sign"

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Devlin, Donaldson, Driscoll, Fritz, Gilbert, Glaser, Grady, Grinde, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Winslow, Mr. Speaker.

Total 73

Noes: Bulger, Cohen, Daily, Darko, Eudaily, Giacometto, Hannah, Hansen, Keller, Kitselman, Menke, Meyers, Raney, Roth, Simon, Thoft, Whalen.

Total 17

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: Gould, Stratford.

Total 2

Representative Miles moved that HB 675 as amended, do pass. Representative McCormick made a substitute motion that HB 675, as amended, do not pass. Motion carried as follows:

Ayes: Asay, Brandewie, D. Brown, Campbell, Cody, Compton, Daily, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Sales, Smith, Squires, Stang, Swift, Switzer, Swysgood, Thoft, Wallin.

Total 57

Noes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cobb, Cohen, Connelly, Corne', Darko, Eudaily, Hansen, Harper, Kadas, Keenan, Kitselman, Koehnke, Lory, Meyers, Miles, Nelson, Peck, Poulsen, Raney, Rapp-Svrcek, Roth, Russell, Sands, Schye, Simon, Spaeth, Stratford, Strizich, Vincent, Whalen, Winslow, Mr. Speaker.

Total 38

Paired: Ellison, Harrington, O'Connell, Ayes; Addy, Keenan, Miles, Noes.

Excused: DeMars, Moore, Ream, Thomas, Williams.

Total 5

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kitselman moved the adoption of the committee report. Report adopted. (69-19)

MOTIONS

Representative Donaldson moved that HB 702 and HB 316 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 189 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 88

Noes: Cobb, Sales.

Total 2

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: Bardanouve, Campbell.

Total 2

HB 277 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hannah, Hansen, Harp, Harper, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nelson, Nisbet, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Vincent, Wallin, Winslow, Mr. Speaker.

Total 68

Noes: D. Brown, Devlin, Driscoll, Glaser, Grinde, Hanson, Hayne, Jones, Kitselman, Menke, Meyers, Nathe, Patterson, Pavlovich, Phillips, Poff, Sales, Simon, Smith, Switzer, Swysgood, Thoft, Whalen.

Total 23

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: Campbell.

Total 1

HB 300 passed as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Hayne, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 77

Noes: Bachini, Bardanouve, Cobb, Eudaily, Hanson, Hoffman, Jenkins, Koehnke, Menahan, Nisbet, Patterson, Peck, Peterson, Poulsen, Swift.

Total 15

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 309 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow.

Total 88

Noes: Grinde, Sales, Mr. Speaker.

Total 3

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: Simon.

Total 1

HB 372 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Miles,

Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 85

Noes: Asay, Campbell, Koehnke, Mercer, Meyers, Raney, Swysgood.

Total 7

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 397 passed as follows:

Ayes: Asay, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 68

Noes: Addy, Bachini, Bardanouve, Bradley, Bulger, Cohen, Connelly, Darko, Driscoll, Fritz, Hansen, Harper, Kadas, Keenan, Kennerly, Meyers, Miles, Nisbet, Peck, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Thoft, Vincent, Whalen.

Total 28

Paired: Ellison, Harrington, O'Connell, Spaeth, Thomas, Williams, Ayes; Addy, Cohen, Keenan, Rapp-Svrcek, Ream, Whalen, Noes.

Excused: DeMars, Moore.

Total 2

Absent or not voting: Poulsen, Strizich.

Total 2

HB 430 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: Poulsen.

Total 1

HB 449 passed as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Winslow, Mr. Speaker.

Total 83

Noes: Bachini, Bardanouve, Cobb, Cody, Hansen, McCormick, Raney, Schye, Whalen.

Total 9

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 463 passed as follows:

Ayes: Addy, Bachini, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cohen, Daily, Donaldson, Driscoll, Fritz, Glaser, Grady, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Roth, Russell, Sales, Schye, Simon, Smith, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Wallin, Winslow, Mr. Speaker.

Total 63

Noes: Asay, Bardanouve, Bradley, J. Brown, Cody, Compton, Connelly, Corne', Darko, Devlin, Eudaily, Giacometto, Gilbert, Gould, Grinde, Harper, Kadas, Kitselman, Menke, Nelson, Peck, Raney, Rehberg, Sands, Spaeth, Stang, Thoft, Vincent, Whalen.

Total 29

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 470 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert,

Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 91

Noes: Devlin.

Total 1

Excused: DeMars, Ellison, Harrington, Moore, O'Connell; Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 511 passed as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Devlin, Driscoll, Eudaily, Fritz, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 72

Noes: Asay, Bardanouve, Campbell, Compton, Donaldson, Giacometto, Gilbert, Grady, Harp, Hayne, Iverson, Menke, Meyers, Nathe, Peck, Sales, Swift, Switzer, Thoft, Mr. Speaker.

Total 20

Paired: Thomas, Aye; Peck, No.

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Williams.

Total 7

Absent or not voting: Peterson.

Total 1

HB 530 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Miles, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Winslow, Mr. Speaker.

Total 80

Noes: Bulger, Connelly, Fritz, Gilbert, Hansen, Menahan, Meyers, Nisbet, Peck, Poulsen, Raney, Whalen.

Total 12

Paired: Ellison, Aye; Raney, No.

Excused: DeMars, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 7

Absent or not voting: Pavlovich.

Total 1

HB 565 passed as follows:

Ayes: Addy, Bachini, Bardanouve, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Daily, Darko, Driscoll, Fritz, Giacometto, Gilbert, Glaser, Hannah, Harper, Hoffman, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Koehnke, McCormick, Manuel, Mercer, Miller, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rehberg, Roth, Sales, Schye, Simon, Smith, Stratford, Strizich, Swysgood, Thomas, Whalen, Winslow, Mr. Speaker.

Total 54

Noes: Asay, Bradley, Brandewie, Cobb, Cody, Corne', Devlin, Donaldson, Eudaily, Gould, Grady, Grinde, Hansen, Hanson, Harp, Hayne, Holliday, Keenan, Kitselman, Lory, Menahan, Menke, Meyers, Miles, Nathe, Nelson, Peterson, Poulsen, Rapp-Svrcek, Ream, Russell, Sands, Spaeth, Squires, Stang, Swift, Switzer, Thoft, Vincent, Wallin.

Total 40

Paired: Ramirez, Thomas, Ayes; Eudaily, Ream, Noes.

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Williams.

Total 6

Absent or not voting: None.

Total 0

HB 570 passed as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 73

Noes: Asay, Bachini, Campbell, Cobb, Cody, Driscoll, Gould, Hayne, Hoffman, Jones, Kadas, Koehnke, McCormick, Nelson, Nisbet, Peck, Smith, Switzer, Swysgood.

Total 19

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 654 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 72

Noes: Campbell, Cody, Devlin, Driscoll, Hannah, Hayne, Jones, Koehnke, Menke, Nelson, Nisbet, Pavlovich, Peck, Poulsen, Quilici, Smith, Swift, Switzer, Swysgood, Thoft.
Total 20

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.
Total 8

Absent or not voting: None.
Total 0

HB 661 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.
Total 8

Absent or not voting: Campbell.
Total 1

HB 692 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 91

Noes: None.

Total 0

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: Hansen.

Total 1

HB 699 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 82

Noes: D. Brown, Driscoll, Hansen, Harper, Keenan, Kennerly, McCormick, Nisbet, Raney, Squires.

Total 10

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 718 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 82

Noes: Campbell, Driscoll, Giacometto, Hayne, Menke, Nathe, Roth, Sales, Swift, Swysgood.

Total 10

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 727 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Devlin, Donaldson, Eudaily,

Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 70

Noes: Bardanouve, D. Brown, Cody, Cohen, Daily, Darko, Driscoll, Fritz, Glaser, Hansen, Keenan, Kennerly, McCormick, Menahan, Miles, Nisbet, Pavlovich, Quilici, Raney, Russell, Schye, Squires, Whalen.

Total 23

Paired: Thomas, Aye; Keenan, No.

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Williams.

Total 7

Absent or not voting: None.

Total 0

HB 734 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 738 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 88

Noes: Cody, Menke, Nelson, Raney.

Total 4

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 749 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 83

Noes: Asay, Campbell, Devlin, Hayne, Nathe, Sales, Switzer.

Total 7

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: Menke, Smith.

Total 2

HB 752 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 769 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Campbell, Stang.

Total 2

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 771 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 772 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 91

Noes: Daily.

Total 1

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 783 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Winslow, Mr. Speaker.

Total 88

Noes: Cohen, Kadas, Russell, Whalen.

Total 4

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HB 788 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Thomas, Williams.

Total 8

Absent or not voting: None.

Total 0

HJR 10 passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thomas, Winslow, Mr. Speaker.

Total 51

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Thoft, Vincent, Wallin, Whalen, Williams.

Total 49

Paired: Brandewie, Ellison, Mercer, Ramirez, Rehberg, Sands, Swift, Thomas, Ayes; Addy, DeMars, Eudaily, Harrington, Moore, O'Connell, Ream, Williams, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 30 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Daily, Stang, Thomas.

Total 3

Paired: Lory, Aye; Thomas, No.

Excused: DeMars, Ellison, Harrington, Moore, O'Connell, Ream, Williams.

Total 7

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/21/87

Correctly printed: HB 220, HB 414, HB 434, HB 725, HB 814, HB 822, HJR 34, HJR 36, HJR 38.

Correctly engrossed: HB 28, HB 78, HB 167, HB 400, HB 406, HB 454, HB 461, HB 745.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman):

2/21/87

HB 778, introduced bill, be amended as follows:

1. Title, line 4.
Following: "TO"
Strike: "REQUIRE"
Insert: "ALLOW"
2. Page 2, line 17.
Following: "department"
Strike: "shall"
Insert: "may"

And, as amended, do pass. Report adopted.

HB 804, introduced bill, be amended as follows:

1. Title, line 6.
Following: ","
Strike: "AND"
2. Title, line 7.
Following: "MCA"
Insert: ", AND PROVIDING AN APPLICABILITY DATE AND AN IMMEDIATE EFFECTIVE DATE"
3. Page 5, line 23.
Following: "subleasing"
Insert: "— pasturing agreements"
4. Page 5, line 24.
Following: "in"
Strike: "subsection"
Insert: "subsections"
Following: "(3)"
Insert: "and (4)"
5. Page 6.
Following: line 13
Insert: "(4) The lessee does not lose the preference right for subleasing as provided under this section if:
 - (a) the sublease is considered to be a pasturing agreement; and
 - (b) the pasturing agreement is approved in writing by the department prior to the initiation of the agreement.
(5) For purposes of this section, a sublease may not be considered a pasturing agreement unless the lessee personally retains all elements of management and physical control of the land and livestock. "Management" means but is not limited to:
 - (a) providing all costs for improvements, land maintenance, and range renovation, if range renovation is approved by the department;
 - (b) making all decisions regarding rotation or other placement of livestock on state land;
 - (c) providing notification to the department of turn-in and turn-out dates of the livestock on state land; and
 - (d) making all decisions regarding proper range management, including placement of water, fencing, and salt."
6. Page 6.

Following: line 25

Insert: "NEW SECTION. Section 8. Applicability. (1) Except as provided in subsection (2), this act does not apply to a lessee who has subleased state land during the term of an existing state lease.

(2) This act applies to a lessee of state agricultural or grazing land if, after the effective date of this act, the lessee enters into an agreement to sublease the land to another person.

NEW SECTION. Section 9. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 837, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Strike: "REQUIRING" on line 7 through ";" on line 8

2. Page 6, line 13.

Following: "and"

Strike: "(10)"

Insert: "(11)"

3. Page 8, line 20.

Strike: "(12)"

Insert: "(13)"

4. Page 11.

Following: line 18

Insert: "(10) The secretary of state shall, upon request of a clerk and recorder, mail a copy of a financing statement, continuation statement, assignment, amendment, or termination covering collateral described in subsection (8) to the clerk and recorder in the county of the principal debtor's residence. The secretary of state shall mail the requested copies at least once each week. This subsection does not require the secretary of state to mail a copy of any document which does not specifically indicate the county of the principal debtor's residence on its face."

Renumber: subsequent subsections

5. Page 14.

Following: line 3

Strike: subsections (4) and (5) in their entirety

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

JUDICIARY (Lory, Chairman):

2/21/87

HB 146, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Strike: "OFFICERS" on line 5 through "OTHER" on line 6

2. Title, lines 6 and 7.

Strike: "PRIVATE" on line 6 through "OPERATORS" on line 7

Insert: "DITCH COMPANIES"

3. Page 1, line 10.

Strike: "Civil"

Insert: "Individual"

4. Page 1, line 11.

Strike: "irrigation"

5. Page 1, lines 11 and 12.

Strike: “directors” on line 11 through “other” at beginning of line 12

Insert: “company”

6. Page 1, lines 12 through 14.

Strike: “Directors” on line 12 through line 14

Insert: “As used in this section:

(a) “ditch company” means a private, not-for-profit irrigation ditch or water user cooperative, corporation, association, or organization;

(b) “employee” means a director, officer, or employee of a ditch company.

(2) An employee of a ditch company is not individually”

Renumber: subsequent subsections

7. Page 1, line 16.

Strike: “their”

Insert: “his”

8. Page 1, line 17.

Strike: “(5).”

Insert: “(6). The immunity granted by this subsection does not apply to the liability of a not-for-profit cooperative, corporation, association, or organization.”

9. Page 1, lines 21, 23, and 24.

Page 2, lines 2 (two places), 4, 7, 10, 16, 21, and 23.

Page 3, lines 4, 15, 20, 22, and 25.

Page 4, lines 3, 4, and 6.

Strike: “employer”

Insert: “ditch company”

10. Page 1, line 24.

Page 2, lines 6 and 15.

Page 3, lines 2 (two places), 19, and 22.

Strike: “(5)”

Insert: “(6)”

11. Page 2, line 16.

Strike: “an”

Insert: “a”

12. Page 2, line 21.

Strike: “an”

Insert: “a”

And, as amended, do pass. Report adopted.

HB 344, introduced bill, be amended as follows:

1. Title, line 6.

Strike: “SECTIONS”

Insert: “SECTION”

Strike: “AND 27-2-401”

2. Title, line 7.

Strike: “IMMEDIATE EFFECTIVE”

Insert: “APPLICABILITY”

3. Pages 1 through 5.

Strike: everything after the enacting clause

Insert: “Section 1. Section 27-2-205, MCA, is amended to read:

"27-2-205. Actions for medical malpractice. (1) Action in tort or contract for injury or death against a physician or surgeon, dentist, registered nurse, nursing home or hospital administrator, dispensing optician, optometrist, licensed physical therapist, podiatrist, psychologist, osteopath, chiropractor, clinical laboratory bioanalyst, clinical laboratory technologist, pharmacist, veterinarian, a licensed hospital or long-term care facility, or licensed medical professional corporation, as the employer of any such person, based upon such person's alleged professional negligence or for rendering professional services without consent or for an act, error, or omission in such person's practice, shall, except as provided in subsection (2), be commenced within 3 years after the date of injury or 3 years after the plaintiff discovers or through the use of reasonable diligence should have discovered the injury, whichever occurs last, but in no case may such action be commenced after 5 years from the date of injury. However, this time limitation shall be tolled for any period during which such person has failed there has been a failure to disclose any act, error, or omission upon which such action is based and which is known to him or through the use of reasonable diligence subsequent to said act, error, or omission would have been known to him.

(2) In an action on behalf of a minor who was under the age of 4 on the date of his injury or death, the period of limitations in subsection (1) begins to run when the minor reaches his eighth birthday or on death, whichever occurs earlier, and the time for commencement of the action is tolled during any period during which the minor does not reside with a parent or guardian."

NEW SECTION. Section 2. Applicability. This act applies to causes of action that arise after October 1, 1987."

And, as amended, do pass. Report adopted.

HB 478, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Strike: "LIMITING" on line 5 through "DISTRICT" on line 6

Insert: "REQUIRING WEED DISTRICTS TO MAKE INFORMATION ON HERBICIDES AVAILABLE TO THE PUBLIC AND TO PERSONS USING HERBICIDES"

2. Title, line 6.

Strike: "AND"

3. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING APPLICABILITY AND EFFECTIVE DATES"

4. Page 1, line 11.

Strike: "(1)"

Following: "district"

Insert: ", as defined in 7-22-2101,"

5. Page 1, lines 13 through 17.

Strike: "(2)" on line 13 through "(3)" on line 17

6. Page 1.

Following: line 18

Insert: "NEW SECTION. Section 2. Information on herbicide use. The district must provide information on protective clothing, health hazards, and proper application techniques to mixers, loaders, and

applicators of herbicides and make the information available for review by the public at the district office.”

Renumber: subsequent sections 2 through 4 as 3 through 5

7. Page 2, line 3.

Strike: “Section 1 is”

Insert: “Sections 1 and 2 are”

8. Page 2, line 5.

Strike: “section 1”

Insert: “sections 1 and 2”

9. Page 2.

Following: line 10

Insert: “**NEW SECTION.** Section 6. Effective date — applicability. This act is effective July 1, 1987, and applies to claims accruing after July 1, 1987.”

And, as amended, do pass. Report adopted.

HB 566, introduced bill, be amended as follows:

1. Title, line 8.

Following: “PARENTS;”

Insert: “TO ADD CHEMICAL DEPENDENCY OR ABUSE BY ONE OF THE PARENTS TO THE RELEVANT FACTORS THE COURT MUST CONSIDER;”

2. Page 2, line 2.

Strike: “and”

3. Page 2, line 4.

Following: “child”

Insert: “; and”

(7) chemical dependency, as defined in 53-24-103, or chemical abuse on the part of either parent”

4. Page 2, line 19.

Strike: “A”

Insert: “However, a”

5. Page 2, line 20.

Strike: “or threatened to physically abuse”

And, as amended, do pass. Report adopted.

HB 790, introduced bill, be amended as follows:

1. Title, line 8.

Strike: “, AN IMMEDIATE EFFECTIVE DATE,”

2. Page 3, line 11.

Strike: “250”

Insert: “25”

3. Page 6, lines 15 and 16.

Strike: section 8 in its entirety

Renumber: subsequent section

4. Page 6, line 18.

Strike: “1989”

Insert: “1991”

And, as amended, do pass. Report adopted.

HB 805, introduced bill, be amended as follows:

2/20/87

1. Title, line 7.

Following: "ALL"

Insert: "UNINSURED"

2. Page 1, line 22.

Following: "all"

Insert: "uninsured"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Jones, Chairman):

2/20/87

HB 645, introduced bill, be amended as follows:

1. Page 8.

Following: line 3

Insert: "(5) An affected local government unit that has not been identified in an impact plan submitted to the board as being likely to experience increased capital and operating costs for providing services which can be expected as a result of the development may object to the impact plan under the provisions of this section."

Renumber: subsequent subsections

2. Page 8, line 15.

Following: "approved"

Strike: "without any review"

3. Page 8, line 16.

Following: "board"

Insert: ", subject only to a technical review for clarity and enforceability of the plan"

4. Page 10, line 25.

Following: "under"

Strike: "subsection"

Insert: "subsections"

5. Page 11.

Following: page 10

Insert: "and (6)"

Committee attached the following statement of intent:

Statement of Intent
HB 645

A statement of intent is required for this bill in order to clarify the role of the hard-rock mining impact board. The amendments to section 3 of this bill are designed to ensure that the board is not involved in reviewing the plan unless objections are filed under 90-6-307 or amendments are sought under 90-6-311.

The amendment of Rule 8.104.203A, Administrative Rules of Montana, does not indicate a legislative intent to define population changes associated with a mineral development. This matter should be determined by the mineral developer and the affected local governments. The amendment further indicates that the legislature desires that the hard-rock mining impact board should not influence this determination by enacting rules on matters that should be the product of discussions between the mineral developer and the affected local governments, except when the board is required to address impact plan concerns during the objections and amendment processes.

This bill also attempts to stress the cooperation role of the mineral developer and the affected local governments in formulating the impact plan. The impact plan, as a result, should reflect the concerns and agreements among these entities. Furthermore, to ensure public involvement in the planning process, a mandatory public hearing is required.

And, as amended, do pass. Report adopted.

HB 746, introduced bill, be amended as follows:

2/21/87

1. Title, line 4.

Strike: "ESTABLISHING"

Insert: "AUTHORIZING"

2. Page 1, lines 11 and 20.

Strike: "5"

Insert: "7"

3. Page 2, line 1.

Following: "edition"

Insert: "and subsequent revisions"

4. Page 2, line 8.

Following: "edition"

Insert: "and subsequent revisions"

5. Page 3, line 4.

Following: "edition"

Insert: "and subsequent revisions"

6. Page 3, line 8.

Strike: "— license" through "— fee"

7. Page 3.

Following: line 8

Insert: "Each local board may establish requirements for licensing on-site sewage treatment systems within its jurisdiction. The licensing requirements may apply to all systems or only to alternative systems under the conditions provided for in [section 6].

(2)"

Renumber: subsequent subsections

8. Page 3, line 11.

Following: "board"

Insert: "if the system is subject to licensing requirements established by the local board"

9. Page 3, line 12.

Following: "board"

Insert: "that has adopted licensing requirements"

10. Page 3, line 14.

Following: "jurisdiction"

Insert: "that are subject to licensing requirements"

11. Page 3, line 16.

Strike: "5"

Insert: "7"

12. Page 3, line 17.

Following: ", the"

Insert: "local"

13. Page 3, line 20.

Following: “, the”

Insert: “local”

14. Page 3, line 24.

Following: “systems”

Insert: “that require a license and that are”

15. Page 4, line 7.

Following: “by the”

Insert: “local”

16. Page 4, line 18.

Strike: “(5)”

Insert: “(6)”

17. Page 5, line 5.

Following: “the”

Insert: “local”

18. Page 5, line 6.

Following: “the”

Insert: “local”

19. Page 5, line 11.

Following: “the”

Insert: “local”

20. Page 5, line 13.

Strike: “[section 4(4)]”

Insert: “[section 6]”

21. Page 6, line 9.

Following: “maintenance,”

Insert: “discharge effluent quality,”

22. Page 6, lines 12 through 22.

Strike: subsection (4) in its entirety

23. Page 7, lines 2 through 14.

Strike: sections 6 and 7 in their entirety

Insert: “Section 6. Alternative systems. (1) A local board may authorize the use of an alternative system pursuant to a local ordinance or if the local board has established licensing procedures for such systems under the provisions of [section 3] and if those procedures are consistent with procedures utilized by the department of health and environmental sciences in its evaluation of alternative systems under rules implementing Title 76, chapter 4, part 1.

(2) The local board shall require monitoring and reporting by the owner or operator of any experimental alternative system as a condition of licensing, unless such monitoring is being conducted pursuant to a requirement of the department of health and environmental sciences. The local board shall inspect the operation of each licensed experimental alternative system at least once in each of the first 3 years after the commencement of system operation and may revoke a license if the system is not meeting local criteria developed under [section 4] or if the owner or operator fails to comply with conditions of the license.

(3) The local board may not license an alternative system at a site that does not conform to the standards for the siting of a conventional system under the rules adopted by the department of health

and environmental sciences to implement Title 76, chapter 4, part 1, unless the alternative system is being installed as an effective replacement for a less effective conventional system at such a site.

Section 7. Relation of local authority to department of health and environmental sciences. The authority granted to a local board or local government under [sections 1 through 7] is supplemental to and is not intended to conflict with or override the authority of the department of health and environmental sciences in implementing Title 76, chapter 4, part 1.”

And, as amended, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks thanked this week's pages for their services and introduced them as follows:

John Iverson, Whitlash
Rolf Ream, Missoula
Charlie Field, Butte
Levee Jones, Chinook
Stephanie Kingman, Helena
Michelle Kaney, Anaconda
Gregg Dietz, Great Falls
Mitchell Rundle, Missoula

Representative Hannah moved that the House adjourn until 10:00 a.m., February 23, 1987.

Motion carried.

House adjourned at 9:40 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FORTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 23, 1987

House Chambers
State Capitol

House convened at 10:15 a.m., Mr. Speaker in the Chair. Invocation by Representative Stratford. Pledge of Allegiance to the Flag.

Roll call. All members present except Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forty-first legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

Representative Kennerly excused at this time.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

2/21/87

Adverse Committee Reports

HB 797, do not pass. Chairman Sands moved to adopt the committee report. Representative Brandewie made a substitute motion that the adverse committee report be rejected and the bill be printed and placed on second reading. Motion failed. (32-59)

The adverse committee report was adopted as follows:

Ayes: Asay, D. Brown, Bulger, Cody, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Whalen, Williams, Mr. Speaker.
Total 64

Noes: Addy, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Cobb, Cohen, Corne', Fritz, Gilbert, Glaser, Gould, Harp, Hoffman, Jenkins, Kadas, Manuel, Patterson, Peck, Peterson, Poulsen, Ramirez, Raney, Switzer, Thoft, Vincent, Wallin.
Total 28

Excused: Kennerly, Moore.
Total 2

Absent or not voting: Bradley, Ellison, Menahan, Menke, Squires, Winslow.
Total 6

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Hayne, Chairman):

2/23/87

Report the following staff changes:

Hiring of Molly Olson, permanent page to minority leader, effective 2/23/87.

MOTIONS

Representative Cody moved that HB 400 be taken from third reading and rereferred to the Committee on Rules for a ruling on whether the amendment changed the intent of the bill. After debate, Representative Mercer moved the previous question. Motion carried. The Cody motion failed. (42-55)

Representative Ream moved that HB 760 be placed below HB 777 on the second reading board because the measures are related and need to be considered together. Motion carried.

Representative Miles moved that HB 694 be taken from the table in the Committee on Business and Labor and printed and placed on second reading. Motion carried. (54-43)

Representative Donaldson moved that HB 814 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Spaeth moved that consideration of HB 491 on second reading be passed until it can be heard with HB 482, as they are companion measures. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 6, introduced by Thoft, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Appropriations.

HJR 41, introduced by Harp, Neuman, M. Williams, Sands, Schye, Harrington, Hager, Severson, Bishop, Ellison, Hirsch, Lybeck, (By Request of the Office of Budget and Program Planning). Referred to Committee on Taxation.

The following Senate bills were introduced, read first time, and referred to committees:

SB 14, introduced by Neuman. Referred to Committee on State Administration.

SB 51, introduced by B. Brown. Referred to Committee on Judiciary.

SB 74, introduced by Mazurek. Referred to Committee on Taxation.

SB 99, introduced by Galt. Referred to Committee on Business and Labor.

SB 127, introduced by Hammond. Referred to Committee on Education and Cultural Resources.

SB 128, introduced by Gage. Referred to Committee on State Administration.

SB 150, introduced by Boylan. Referred to Committee on Taxation.

SB 152, introduced by Walker. Referred to Committee on Judiciary.

SB 162, introduced by Mazurek. Referred to Committee on Taxation.

SB 171, introduced by Yellowtail. Referred to Committee on Fish and Game.

SB 174, introduced by B. Brown. Referred to Committee on Education and Cultural Resources.

SB 177, introduced by Yellowtail. Referred to Committee on Taxation.

SB 179, introduced by Beck. Referred to Committee on Taxation.

- SB 187**, introduced by Farrell. Referred to Committee on Highways and Transportation.
- SB 199**, introduced by B. Brown. Referred to Committee on Education and Cultural Resources.
- SB 200**, introduced by E. Smith. Referred to Committee on Taxation.
- SB 212**, introduced by Farrell. Referred to Committee on Highways and Transportation.
- SB 213**, introduced by Mazurek. Referred to Committee on Business and Labor.
- SB 227**, introduced by Haffey. Referred to Committee on Appropriations.
- SB 229**, introduced by Mazurek. Referred to Committee on Judiciary.
- SB 232**, introduced by Mazurek. Referred to Committee on Education and Cultural Resources.
- SB 235**, introduced by B. Brown. Referred to Committee on Education and Cultural Resources.
- SB 237**, introduced by Boylan. Referred to Committee on Business and Labor.
- SB 247**, introduced by Meyer. Referred to Committee on Business and Labor.
- SB 249**, introduced by Blaylock. Referred to Committee on Judiciary.
- SB 250**, introduced by McLane. Referred to Committee on Business and Labor.
- SB 253**, introduced by Himsl. Referred to Committee on Appropriations.
- SB 254**, introduced by Walker. Referred to Committee on Judiciary.
- SB 257**, introduced by Thayer. Referred to Committee on Judiciary.
- SB 260**, introduced by Harding. Referred to Committee on State Administration.
- SB 261**, introduced by B. Brown. Referred to Committee on Judiciary.
- SB 263**, introduced by B. Williams. Referred to Committee on Business and Labor.
- SB 266**, introduced by Van Valkenburg. Referred to Committee on Taxation.
- SB 273**, introduced by Regan. Referred to Committee on Education and Cultural Resources.
- SB 275**, introduced by Jergeson. Referred to Committee on Judiciary.
- SB 282**, introduced by Beck. Referred to Committee on Local Government.
- SB 287**, introduced by Gage. Referred to Committee on State Administration.
- SB 289**, introduced by Van Valkenburg. Referred to Committee on Judiciary.
- SB 303**, introduced by Halligan. Referred to Committee on Judiciary.
- SB 306**, introduced by Mazurek. Referred to Committee on Judiciary.
- SB 309**, introduced by Mazurek. Referred to Committee on Local Government.
- SB 318**, introduced by Jacobson. Referred to Committee on Business and Labor.
- SB 348**, introduced by Story. Referred to Committee on Agriculture.
- SJR 8**, introduced by Keating. Referred to Committee on Human Services.
- SJR 9**, introduced by Jergeson. Referred to Committee on Natural Resources.
- SJR 11**, introduced by Beck. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ramirez in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 66 - Representative Pavlovich moved that HB 66, second reading copy, be amended as follows:

1. Page 8, line 3.

Following: "TIME"

Insert: "of"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Asay, J. Brown, Daily, Ellison, Fritz, Switzer.

Total 6

Representative Pavlovich moved that HB 66, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Cobb, Stang.

Total 2

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Gould.

Total 1

HB 220 - Representative DeMars moved that HB 220 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 96

Noes: None.

Total 0

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Bardanouve, Mr. Speaker.

Total 2

HB 291 - Representative Peck moved that HB 291 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Glaser, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Strizich, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 69

Noes: Asay, D. Brown, Campbell, Cobb, Cody, Compton, Devlin, Driscoll, Giacometto, Gilbert, Gould, Grady, Grinde, Hanson, Holliday, Iverson, Koehnke, Patterson, Peterson, Poff, Schye, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft.

Total 28

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Rapp-Svrcek.

Total 1

HB 294 - Representative Eudaily moved that HB 294 do pass. Motion failed. (33-62)

Representative Hannah moved that HB 294 do not pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, DeMars, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, McCormick, Manuel, Menke, Mercer, Miles, Nathe, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Wallin, Williams, Mr. Speaker.

Total 63

Noes: Addy, Asay, Bradley, D. Brown, Connelly, Corne', Daily, Darko, Driscoll, Eudaily, Fritz, Gould, Grady, Harrington, Kadas, Keenan, Lory, Menahan, Meyers, Miller, Nelson, Nisbet, Pavlovich, Quilici, Ream, Schye, Spaeth, Strizich, Thomas, Vincent, Whalen, Winslow.

Total 32

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Compton, Hansen, Squires.

Total 3

HB 356 - Representative Harrington moved that HB 356 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Nisbet, Stratford.

Total 2

Excused: Kennerly, Moore.

Total 2

Absent or not voting: None.

Total 0

HB 434 - Representative Donaldson moved that HB 434 do pass. Representative Donaldson made a substitute motion that HB 434, second reading copy, be amended. Amendment failed. (49-50)

HB 434 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Gilbert, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jones, Keenan, Keller, Koehnke, Lory, Manuel, Menahan, Menke, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Williams, Mr. Speaker.

Total 69

Noes: Addy, Campbell, Cobb, Connelly, Daily, Eudaily, Giacometto, Glaser, Gould, Hannah, Iverson, Jenkins, Kadas, Kitselman, McCormick, Mercer, Meyers, O'Connell, Peck, Pistoria, Raney, Rehberg, Roth, Sales, Stratford, Swysgood, Thomas, Whalen, Winslow.

Total 29

Excused: Kennerly, Moore.

Total 2

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ramirez moved the adoption of the committee report. Report adopted. (83-12)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/23/87

Correctly printed: HB 146, HB 240, HB 291, HB 344, HB 459, HB 474, HB 482, HB 486, HB 546, HB 564, HB 566, HB 577, HB 645, HB 670, HB 746, HB 761, HB 767, HB 778, HB 790, HB 800, HB 805.

Correctly engrossed: HB 417, HB 429, HB 492, HB 535, HB 568, HB 592, HB 635, HB 696, HB 702, HB 708, HB 724, HB 729, HB 737, HB 740, HB 747, HB 750, HB 755, HB 765, HB 803, HB 806, HB 825, HJR 21, HJR 32.

Correctly enrolled: HB 41.

Examined by the sponsor and found to be correct:

HB 41 - Winslow

Signed by the Speaker at 3:30 p.m.: HB 41.

Delivered to the Governor for his approval at 8:55 a.m.: HB 203, HB 310, HB 391.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

2/23/87

HB 839, do pass. Report adopted.

HJR 39, do pass. Report adopted.

HJR 40, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "SEPTEMBER"

Insert: "OCTOBER"

2. Page 2, line 6.

Strike: "September"

Insert: "October"

3. Page 2, line 11.

Strike: "developed"

Insert: "encouraged within local communities"

4. Page 2, lines 13 to 17.

Following: "that"

Strike: remainder of line 13 through line 17

Insert: "local education personnel and private industry officials be encouraged to meet and work together to maintain and improve business-education partnership programs."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

2/23/87

HB 793, do pass. Report adopted.**HB 819**, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

2/20/87

HB 155, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "ELIMINATING"

Insert: "EXTENDING"

2. Title, line 9.

Following: "DATE"

Insert: "AND A COORDINATION PROVISION"

3. Page 1, line 15.

Reinsert: stricken language

4. Page 1, line 18.

Reinsert: stricken language through "July 1,"

Following: "1987."

Insert: "1989."

5. Page 1, line 22.

Reinsert: stricken language

6. Page 1, line 25.

Reinsert: stricken language through "July 1,"

Following: "1987."

Insert: "1989."

7. Page 2, line 4.

Reinsert: stricken language

8. Page 2, line 10.

Reinsert: stricken language through "July 1,"

Following: "1987."

Insert: "1989."

9. Page 2.

Following: line 12

Insert: "Section 4. Coordination. If Senate Bill 200 and this act are both passed and approved, this act is void."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 193, do pass. Report adopted.**HB 583**, introduced bill, be amended as follows:

2/21/87

1. Title, line 8.

Following: "RESALE;"

Insert: "TO PROVIDE FOR THE DISTRIBUTION OF THE FEES THROUGH THE GENERAL FUND;"

2. Title, line 9.

Following: "69-1-223,"

Insert: "69-1-224,"

3. Title, line 10.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

4. Page 1, line 15.

Following: "~~date~~"

Insert: "— termination date"

5. Page 1, line 17.

Following: "~~1987~~."

Insert: "This act terminates July 1, 1989."

6. Page 2.

Following: line 23

Insert: "Section 3. Section 69-1-224, MCA, is amended to read:

"69-1-224. Determination of fee. (1) Within 30 days following enactment of the legislative appropriation for the office of the consumer counsel, the department of revenue shall:

(a) determine the total gross operating revenue generated by all regulated activities within this state for all regulated companies for the previous fiscal year;

(b) compute the percentage, subject to revision as provided in subsection (3), of the amount determined in subsection (1)(a) which will produce an amount equal to the base appropriation to the office of the consumer counsel for the first year of the appropriation, except that no regulated company owned and operated by any municipal corporation within this state shall be required to pay a sum in excess of .06 of 1% of its gross operating revenue; and

(c) give notice by mail to each regulated company of the percentage determined in subsections (1)(a) and (b) to be applied to the gross operating revenue reported under 69-1-223(2) to determine the amount of the fee to be paid in the first year of the appropriation.

(2) On or before May 30 of the first year of the biennium, the department of revenue shall repeat the steps required by subsection (1) and compute the percentage multiplier for the second year, giving notice to the regulated companies.

(3) (a) The department of revenue ~~may~~ shall adjust the percentage multiplier quarterly if the department considers a change necessary to meet or to not exceed the amount to be raised by the fee because of:

(i) fluctuations in the actual gross operating revenue subject to the fee; or

(ii) submission and approval of a budget amendment authorizing the spending of money from a contingency appropriation included in the appropriation measure for the office of the consumer counsel and authorized to be raised by means of the fee.

(b) Adjustments of the percentage multiplier are subject to the exception provided in subsection (1)(b) for municipally owned and operated regulated companies.

(c) Regulated companies must be given at least 30 days' notice of any change in the percentage multiplier.

(4) In the event the fee charged in one year is in excess of the amount actually expended in that year, the excess shall be deducted from the amount required to be raised by the fee for the next year before the determination required by subsection (1) is made. Money ~~in the account~~ remaining unspent at the close of a fiscal year shall

be used to reduce the percentage calculated in 69-1-224 in the subsequent fiscal year.””

Renumber: subsequent sections

7. Page 3, lines 1 and 2.

Following: “(1)” on line 1

Strike: remainder of line 1 through “all” on line 2

Insert: “All”

8. Page 3, line 3.

Following: “deposited”

Strike: remainder of line 3 in its entirety

Insert: “in the general fund. All”

9. Page 3, line 4.

Following: “paid”

Insert: “from the general fund”

10. Page 5, lines 4 through 7.

Strike: section 5 in its entirety

Renumber: subsequent section

11. Page 5, line 8.

Following: “date”

Insert: “— termination date”

12. Page 5, line 9.

Following: “on passage and approval.”

Insert: “This act terminates July 1, 1989.”

And, as amended, do pass. Report adopted.

HB 606, introduced bill, be amended as follows:

2/20/87

1. Page 3, line 15.

Following: “(m)”

Strike: “land,”

Insert: “(i)”

2. Page 3.

Following: line 19

Insert: “(ii) land used or planned to be used for a water system by a cooperative association or nonprofit corporation described in subsection (m)(i);”

And, as amended, do pass. Report adopted.

HB 652, introduced bill, be amended as follows:

1. Page 2, line 1.

Following: “analyst.”

Insert: “The council shall prepare and submit any revisions to its estimates as it considers necessary until the legislature adopts a budget for the following biennium.”

And, as amended, do pass. Report adopted.

HB 666, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

2/20/87

HB 678, introduced bill, be amended as follows:

1. Page 4, lines 17 and 18.

Following: “\$1,000” on line 17

Strike: remainder of line 17 through "5%" on line 18

Insert: "4%"

2. Page 4, line 19.

Strike: line 19 in its entirety

And, as amended, do pass. Report adopted.

HB 705, do pass. Report adopted.

HB 716, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "40"

Insert: "35"

2. Title.

Following: line 6

Insert: "EXEMPTING CERTAIN GROUP DISABILITY POLICY-HOLDERS,"

3. Page 1, line 11.

Following: "fee."

Strike: "For"

Insert: "Except as provided in [section 2], for"

4. Page 1, line 16.

Following: "pay"

Strike: "40"

Insert: "35"

5. Page 1.

Following: line 20

Insert: "Section 2. Group disability policy exemption. The fee required in [section 1] does not apply to blanket group disability insurance as defined in Title 33, chapter 22, part 6, where the total premium charged per person is less than \$10 a year. For these policies, the fee is to be assessed on the basis of the number of blanket group policyholders in Montana."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 717, introduced bill, be amended as follows:

2/23/87

1. Title, line 6.

Following: "MCA,"

Strike: "AND"

2. Title, line 7.

Following: "MCA"

Insert: "AND PROVIDING AN IMMEDIATE DATE"

3. Page 2.

Following: line 13

Insert: "NEW SECTION. Section 5. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 730, introduced bill, be amended as follows:

2/20/87

1. Title, line 6.

Following: "PROVIDING"

Strike: "AN IMMEDIATE"

Insert: "A DELAYED"

2. Page 3, line 12.

Following: "of"

Strike: "title"

Insert: "ownership"

3. Page 3, line 21.

Following: "of"

Strike: "title"

Insert: "ownership"

4. Page 10, line 9.

Following: "effective"

Strike: "on passage and approval"

Insert: "July 1, 1988"

And, as amended, do pass. Report adopted.

SB 122, be concurred in. Report adopted.

Adverse Committee Reports

HB 412, do not pass.

HB 726, do not pass.

MOTIONS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House stand in recess until 1:15 p.m. Motion carried.

House recessed at 12:18 p.m.

House reconvened at 1:20 p.m.

Mr. Speaker in the Chair.

Representative Hannah moved that the House stand in recess until 2:15 p.m. for party caucuses. Motion carried.

House recessed at 1:22 p.m.

House reconvened at 2:20 p.m.

Mr. Speaker in the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ramirez in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 610 - Representative D. Brown moved that HB 610 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Glaser, Grady, Grinde, Hannah, Harper, Harrington, Hayne, Holliday, Iverson, Keenan, Keller, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream,

Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 72

Noes: Bardanouve, Brandewie, Bulger, Campbell, Cohen, Connelly, Ellison, Fritz, Gould, Hansen, Hanson, Harp, Hoffman, Jenkins, Jones, Kadas, Kitselman, Koehnke, Lory, Meyers, Patterson, Peterson, Poulsen, Swift.

Total 24

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Gilbert, Spaeth.

Total 2

HB 619 - Representative Giacometto moved that HB 619 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Campbell, Connelly, Daily, Driscoll, Hansen, Kadas, Mercer, Pavlovich.

Total 8

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Harrington, Swift.

Total 2

HB 725 - Representative Strizich moved that HB 725 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Campbell, Cohen, Gould, Menke, Swysgood, Thoft.

Total 6

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Bardanouve, D. Brown, Peck, Swift, Whalen.

Total 5

HB 762 - Representative J. Brown moved that HB 762 do pass. Motion carried as follows:

Ayes: Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Lory, Manuel, Menahan, Menke, Mercer, Miles, Nelson, Pavlovich, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Addy, Bachini, Bardanouve, Campbell, Driscoll, Glaser, Hanson, Koehnke, McCormick, Meyers, Nathe, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Spaeth, Switzer, Whalen.

Total 21

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Miller.

Total 1

HB 767 - Representative Fritz moved that HB 767 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 92

Noes: Cobb, Cody, Peterson, Smith, Whalen.

Total 5

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Mr. Speaker.

Total 1

HB 777 - Representative Ream moved that HB 777 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller,

Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Giacometto, Hanson, Jenkins, Menke, Meyers, Peterson, Sales, Swysgood, Thoft.

Total 9

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Grady, Nathe, O'Connell.

Total 3

HB 760 - Representative Ream moved that HB 760 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 87

Noes: Campbell, Devlin, Giacometto, Glaser, McCormick, Menke, Meyers, Swysgood.

Total 8

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Ellison, Patterson, Mr. Speaker.

Total 3

HB 779 - Representative Schye moved that HB 779 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 94

Noes: None.

Total 0

Excused: Kennerly, Moore.

Total 2

Absent or not voting: D. Brown, Campbell, Harper, Mr. Speaker.

Total 4

HB 780 - Representative Schye moved that HB 780 do not pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 87

Noes: Campbell, Daily, Fritz, Giacometto, Iverson, Menke, Strizich, Thoft, Williams.

Total 9

Excused: Kennerly, Moore.

Total 2

Absent or not voting: D. Brown, Mr. Speaker.

Total 2

HB 792 - Representative Wallin moved that HB 792 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 91

Noes: Driscoll, Hannah, Meyers.

Total 3

Excused: Kennerly, Moore.

Total 2

Absent or not voting: D. Brown, Corne', Pavlovich, Mr. Speaker.

Total 4

HB 815 - Representative Spaeth moved that HB 815, second reading copy, be amended as follows:

1. Page 10, lines 5 through 8.

Strike: "TERMINATION" through "TERMINATED" on line 8

Insert: "Funding limitation. The department shall expend only those funds which are raised by fees under [this part]. In the event that such funds are insufficient to finance the costs of services under [this part], the department is authorized to reduce their services accordingly"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 93

Noes: None.

Total 0

Excused: Kennerly, Moore.

Total 2

Absent or not voting: D. Brown, Ellison, Fritz, Grinde, Mr. Speaker.

Total 5

Representative Hanson moved that HB 815, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 95

Noes: Connelly.

Total 1

Excused: Kennerly, Moore.

Total 2

Absent or not voting: D. Brown, Mr. Speaker.

Total 2

HB 818 - Representative Nathe moved that HB 818 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily,

Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 95

Noes: None.

Total 0

Excused: Kennerly, Moore.

Total 2

Absent or not voting: D. Brown, Kadas, Mr. Speaker.

Total 3

HB 820 - Representative Fritz moved that HB 820 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 95

Noes: None.

Total 0

Excused: Kennerly, Moore.

Total 2

Absent or not voting: D. Brown, Kadas, Mr. Speaker.

Total 3

HB 822 - Representative Hannah moved that HB 822 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 93

Noes: None.

Total 0

Excused: Kennerly, Moore.

Total 2

Absent or not voting: D. Brown, Grinde, Iverson, Kadas, Mr. Speaker.

Total 5

HB 823 - Representative Squires moved that HB 823 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 94

Noes: None.

Total 0

Excused: Kennerly, Moore.

Total 2

Absent or not voting: D. Brown, Donaldson, Glaser, Mr. Speaker.

Total 4

HB 836 - Representative Nathe moved that HB 836 do pass. Representative Bardanouve made a substitute motion that HB 836, second reading copy, be amended as follows:

1. Page 2, line 13.

Following: "legislature"

Insert: ", except for the endowment fund and the annuity and life income fund,"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Cody, Hansen, Hayne.

Total 3

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Brandewie, Corne', Donaldson, Giacometto, Harp, Koehnke, Quilici, Ream, Smith, Wallin.

Total 10

HB 836, as amended, passed as follows:

Ayes: Bachini, Bardanouve, Brandewie, Campbell, Cobb, Cohen, Compton, Daily, DeMars, Devlin, Ellison, Giacometto, Gilbert, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Jenkins, Jones, Koehnke, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Schye, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 50

Noes: Addy, Asay, Bradley, D. Brown, J. Brown, Bulger, Cody, Connelly, Corne', Darko, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Gould, Hansen, Harper, Harrington, Holliday, Iverson, Kadas, Keenan, Keller, Kitselman, Lory, Menahan, Miles, Moore, Nelson, Nisbet, Pavlovich, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Vincent, Whalen, Williams, Mr. Speaker.

Total 48

Paired: Swift, Aye; Moore, No.

Excused: Kennerly.

Total 1

Absent or not voting: Poff.

Total 1

HB 459 - Representative Keenan moved that HB 459 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kitselman, Lory, Manuel, Menahan, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 79

Noes: Bachini, Devlin, Giacometto, Glaser, Hanson, Hayne, Keller, Koehnke, McCormick, Menke, Miller, Peck, Peterson, Raney, Swift, Switzer, Thoft.

Total 17

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Ellison, Poff.

Total 2

HB 29 - Representative Bardanouve moved that HB 29 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kennerly, Moore.

Total 2

Absent or not voting: D. Brown, Connelly, Poff.

Total 3

HB 340 - Representative Kadas moved that HB 340 be placed below HB 623 on the second reading board for amendment. Motion carried.

HB 600 - Representative Winslow moved that HB 600 be placed at the bottom of the second reading board for amendment. Motion carried.

HB 721 - Representative Thomas moved that HB 721 do pass. Representative Hannah made a substitute motion that HB 721, second reading copy, be amended as follows:

1. Page 2, line 17.

Strike: "1989"

Insert: "1991"

Amendment passed as follows:

Ayes: Bachini, J. Brown, Campbell, Cobb, Compton, Connelly, Daily, Devlin, Ellison, Eudaily, Gilbert, Glaser, Gould, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Menke, Mercer, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Williams, Winslow, Mr. Speaker.

Total 57

Noes: Addy, Asay, Bradley, D. Brown, Cody, Cohen, Corne', Darko, DeMars, Driscoll, Fritz, Grinde, Hansen, Harper, Harrington, Holliday, Lory, McCormick, Menahan, Meyers, Nisbet, Poff, Raney, Russell, Schye, Spaeth, Squires, Stang, Strizich, Thomas, Vincent, Whalen.

Total 32

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Bardanouve, Brandewie, Bulger, Donaldson, Giacometto, Grady, Manuel, Phillips, Wallin.

Total 9

HB 721, as amended, passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Grady, Hansen, Harper, Harrington, Holliday, Iverson, Kadas, Keenan, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 67

Noes: Brandewie, Compton, Daily, Devlin, Ellison, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Jenkins, Jones, Keller, Kitselman, Koehnke, Menke, Mercer, Miller, Patterson, Pavlovich, Pistoria, Sales, Sands, Simon, Swift, Switzer, Thoft, Mr. Speaker.

Total 32

Paired: Moore, Aye; Mercer, No.

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 796 - Representative Stang moved that HB 796, second reading copy, be amended as follows:

1. Stang amendment of 2/21/87, 18:20, instruction No. 2.

Following: "unless otherwise determined by local"

Strike: "authority"

Insert: "governing body"

2. Stang amendment of 2/21/87, 18:20, instruction No. 3.

Strike: instruction No. 3 in its entirety

3. Page 3, line 8.

Strike: "be closed"

Insert: "have the machines shut off"

4. Page 3, line 10.

Following: "establishments"

Insert: ", unless otherwise determined by local governing body"

5. Driscoll amendment of 2/21/87, 9:00, instruction No. 3.

Following: "poker machine available for play must"

Strike: "be closed"

Insert: "have the machines shut off"

6. Driscoll amendment of 2/21/87, 9:00, instruction No. 3.

Following: "alcoholic beverage establishments"

Insert: ", unless otherwise determined by local governing body"

Representative Pavlovich made a substitute motion that the amendment be divided. Motion carried.

Parts 1, 2, 3, and 4 of the amendment passed as follows:

Ayes: Addy, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Grady, Grinde, Hanson, Harrington, Hoffman, Iverson, Jones, Keenan, Keller, Kitselman, Koehnke, McCormick, Menke, Meyers,

Miles, Patterson, Pistoria, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 61

Noes: Asay, Bachini, Bardanouve, Brandewie, D. Brown, Cody, Corne', Daily, Gilbert, Gould, Hannah, Hansen, Harp, Harper, Hayne, Holliday, Jenkins, Kadas, Lory, Manuel, Menahan, Mercer, Miller, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Schye, Strizich.

Total 34

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Bradley, Cohen, Nathe.

Total 3

Parts 5 and 6 of the amendment passed as follows:

Ayes: Addy, D. Brown, J. Brown, Bulger, Campbell, Compton, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hanson, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kitselman, Koehnke, Manuel, Menke, Meyers, Miles, Miller, Nathe, Patterson, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 60

Noes: Asay, Bachini, Bardanouve, Brandewie, Cobb, Cody, Connelly, Corne', Ellison, Gould, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Jones, Kadas, Lory, McCormick, Menahan, Mercer, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Poulsen, Quilici, Ramirez, Schye, Spaeth, Squires, Winslow.

Total 36

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Bradley, Cohen.

Total 2

Representative Driscoll moved that HB 796, second reading copy, be further amended. Representative D. Brown made a substitute motion that the amendment be divided. Motion failed. (48-49)

HB 796, second reading copy, was amended as follows:

1. Stang amendment of 2/21/87, 18:20, instruction No. 2.

Following: "unless otherwise determined by local authority"

Insert: ", but no more than 10"

2. Stang amendment of 2/21/87, 18:20, instruction No. 3.

Following: "have hours of play determined by local authority"

Insert: ", but the hours cannot exceed the hours provided in 16-3-304"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, Cobb, Cody, Cohen, Corne', Daily, Devlin, Driscoll, Ellison, Gilbert, Gould, Hannah,

Hansen, Harp, Harper, Iverson, Kadas, Kitselman, McCormick, Manuel, Menahan, Mercer, Meyers, Miller, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Poff, Quilici, Ramirez, Rapp-Svrcek, Roth, Russell, Sands, Schye, Simon, Spaeth, Vincent, Whalen, Williams, Winslow, Mr. Speaker.
Total 50

Noes: D. Brown, J. Brown, Bulger, Campbell, Compton, Connelly, Darko, DeMars, Donaldson, Eudaily, Fritz, Giacometto, Grady, Grinde, Hanson, Hayne, Hoffman, Holliday, Jenkins, Jones, Keenan, Keller, Koehnke, Lory, Menke, Miles, Nathe, Patterson, Phillips, Pistoria, Poulsen, Raney, Rehberg, Sales, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin.
Total 45

Excused: Kennerly, Moore.
Total 2

Absent or not voting: Glaser, Harrington, Ream.
Total 3

Representative Driscoll moved that HB 796, as amended, do pass.
Representative Pistoria made a substitute motion that HB 796, as amended, do not pass. Motion failed. (35-59)

HB 796, as amended, passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, Cobb, Cody, Cohen, Corne', Daily, Darko, Devlin, Driscoll, Ellison, Gilbert, Glaser, Gould, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Iverson, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stratford, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 62

Noes: Asay, D. Brown, J. Brown, Bulger, Campbell, Compton, Connelly, DeMars, Donaldson, Eudaily, Fritz, Giacometto, Grady, Grinde, Hanson, Hoffman, Holliday, Jenkins, Jones, Kadas, Miles, Miller, Patterson, Phillips, Pistoria, Raney, Rehberg, Sales, Smith, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Mr. Speaker.
Total 36

Excused: Kennerly, Moore.
Total 2

Absent or not voting: None.
Total 0

HB 831 - Representative Holliday moved that HB 831, second reading copy, be amended as follows:

1. Title, lines 9 and 10.
Strike: "AND WATER WELL PUMP INSTALLERS"
2. Title, line 11.
Strike: "AND WATER WELL PUMP INSTALLERS"
3. Page 1, lines 23 and 24.
Strike: "and installers of pumping equipment"
4. Page 2, line 4.
Strike: "and installers of pumping equipment"

5. Page 2, lines 8 and 9.

Strike: "and installers of pumping equipment"

6. Page 2, line 13.

Strike: "and installation of pumping equipment"

7. Page 3, lines 10 through 16.

Strike: subsections (6) and (7) in their entirety

Renumber: subsequent sections

8. Page 6, lines 5 and 6.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

9. Page 6, line 15.

Following: "drillers₂"

Insert: "and"

10. Page 6, line 16.

Strike: ", and pump installers"

11. Page 6, line 21.

Following: "contractors₂"

Insert: "and"

12. Page 6, line 22.

Strike: ", and pump installers"

13. Page 7, line 13.

Following: "drillers₂"

Insert: "and"

14. Page 7, line 14.

Strike: ", and pump installers"

15. Page 8, lines 21 and 22.

Strike: "or installing pumping equipment"

16. Page 9, lines 6 through 9.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

17. Page 9, lines 19 and 20.

Strike: "and the installation of pumping equipment"

18. Page 9, line 24.

Following: "driller,"

Insert: "or"

19. Page 9, line 25.

Strike: ", or pump installer,"

20. Page 10, line 2.

Strike: "or to install pumping equipment"

21. Page 10, line 18.

Strike: "and installation of pumping equipment"

22. Page 10, line 23.

Strike: ".,"

Insert: "1."

23. Page 10, line 24 through page 11, line 9.

Strike: "or" through "rule." on page 11, line 9

24. Page 11, lines 10 and 11.

Strike: "or (2)(c)"

25. Page 11, line 25 and page 12, line 1.

Strike: "or pumping equipment"

26. Page 12, lines 7 and 8.

Strike: "or the installation of pumping equipment in water wells"

27. Page 12, lines 22 and 23.

Strike: "or pumping equipment installation"

28. Page 13, lines 5 and 6.

Strike: "and the business of pump installation"

29. Page 14, lines 21 through page 15, line 10.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

30. Page 16, line 15.

Following: "contractor's"

Strike: " "

Insert: "²or"

31. Page 16, line 16.

Strike: "²or pump installer's"

32. Page 18, line 2.

Strike: "² "

Insert: "²or"

33. Page 18, line 3.

Strike: "²or pump installation"

34. Page 18, lines 10 and 11.

Strike: "or install pumping equipment"

35. Page 18, line 12.

Following: "contractor's"

Strike: "² "

Insert: "²or"

Strike: "²or pump installer's"

36. Page 18, lines 19 and 20.

Strike: "and installation of pumping equipment"

37. Page 19, lines 1, 2, 15, 16, and 23.

Strike: "or installing pumping equipment"

38. Page 19, line 23.

Following: "driller,"

Insert: "²or"

Strike: "²or pump installer"

39. Page 20, line 6.

Following: "contractor's"

Strike: "² "

Insert: "²or"

40. Page 20, line 7.

Strike: "²or pump installer's"

41. Page 20, lines 9 and 10.

Strike: "or the installation of pumping equipment"

42. Page 20, line 13.

Strike: "or the installation of pumping equipment"

43. Page 20, line 18.

Strike: " pump installer,"

44. Page 20, line 19 through page 21, line 10.

Strike: section 16 in its entirety

Renumber: subsequent sections

45. Page 22, lines 20 and 23.

Strike: "through 18"

Insert: "and 17"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow.
Total 92

Noes: None.

Total 0

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Bardanouve, Hannah, O'Connell, Poulsen, Wallin, Mr. Speaker.

Total 6

Representative Holliday moved that the following statement of intent be attached:

Statement of Intent
HB 831

A statement of intent is required for this bill because it requires the board of water well contractors to adopt rules to implement the provisions of this act.

This bill authorizes the board to license and provide training for persons constructing monitoring wells and to adopt rules regarding the construction, use, and abandonment of monitoring wells. The board's present jurisdiction is over wells intended for the location, diversion, artificial recharge, or acquisition of ground water. This bill is intended to clarify that the board's jurisdiction extends to wells that monitor ground water movement and quality. Monitoring wells can affect the ground water resource no less than production wells, and the increased use of monitoring wells requires that the board certify monitoring well constructors and adopt rules for monitoring well construction.

Statement of intent was adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko,

DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Campbell, Glaser, Swysgood, Thoft.

Total 4

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Cobb, Jones, O'Connell.

Total 3

Representative Holliday moved that HB 831, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Campbell, Connelly, Glaser, Hannah, Swift, Swysgood, Thoft.

Total 7

Excused: Kennerly, Moore.

Total 2

Absent or not voting: D. Brown, Cobb, Harrington, Miller, Sales.

Total 5

HB 398 - Representative Daily moved that HB 398, second reading copy, be amended as follows:

1. Title, line 4.

Strike: "SUBMIT" through "CONSTITUTION TO" on line 6

2. Title, line 6.

Strike: "THREE"

Insert: "FIVE"

3. Page 1, line 11.

Strike: "Article" through "(7)" on line 17, page 2

4. Page 2, line 18.

Strike: "three"

Insert: "five"

5. Page 2, line 20.

Strike: ""

6. Page 2, line 21.

Strike: "NEW SECTION."

Strike: "If" through "amendment" on line 23

Insert: "This act"

7. Page 2, lines 22 and 23.

Strike: "January" through "1989" on line 23

Insert: "on final adjournment of the 1987 regular session of the 50th legislature"

8. Page 2.

Strike: new section 3 in its entirety

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Fritz, Spaeth, Stang.

Total 3

Excused: Kennerly, Moore.

Total 2

Absent or not voting: D. Brown, Meyers, Poff.

Total 3

Representative Daily moved that HB 398, as amended, do pass.
Motion failed. (43-54)

Representative Hannah moved that HB 398, as amended, do not pass.
Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, DeMars, Donaldson, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Hansen, Harper, Harrington, Hoffman, Iverson, Jenkins, Kadas, Keenan, Kitselman, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, Patterson, Peterson, Pistoria, Poff, Ramirez, Rapp-Svrcek, Ream, Russell, Schye, Simon, Spaeth, Squires, Strizich, Swift, Thomas, Vincent, Whalen, Williams, Winslow.

Total 57

Noes: Bachini, Campbell, Cody, Connelly, Corne', Daily, Darko, Devlin, Driscoll, Giacometto, Gilbert, Grinde, Hannah, Hanson, Harp, Hayne, Holliday, Jones, Keller, Koehnke, Manuel, Miles, O'Connell, Pavlovich, Peck, Phillips, Poulsen, Quilici, Raney, Rehberg, Roth, Sales, Sands, Smith, Stang, Stratford, Switzer, Swysgood, Thoft, Wallin, Mr. Speaker.

Total 41

Excused: Kennerly, Moore.

Total 2

Absent or not voting: None.

Total 0

HB 623 - Representative Harrington moved that HB 623, second reading copy, be amended as follows:

1. Page 1, line 25.

Strike: "may"

Insert: "shall"

2. Page 2, line 3.

Strike: "revenue" through "sales" on line 6

Insert: "than a 10% profit to the state"

3. Page 2, line 13.

Following: "(3)"

Insert: "(a)"

4. Page 2.

Following: line 23

Insert: "(b) No agency stores shall be located in or adjacent to grocery stores in communities with populations over 3,000. This provision is applicable only to agency agreements entered into after [the effective date of this act]."

Representative Simon made a substitute motion that the amendment be divided. Motion carried. (52-42)

Amendments 1 through 3 passed as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Asay, Bardanouve, Brandewie, Campbell, Donaldson, Giacometto, Harp, Kadas, Lory, Ramirez.

Total 10

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Grinde, Wallin.

Total 2

Amendment 4 passed as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, Cobb, Cody, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Gould, Grady, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Koehnke, McCormick, Manuel, Menahan, Menke, Miles, Miller, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney,

Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Strizich, Swift, Swysgood, Thoft, Vincent, Whalen.
Total 56

Noes: Asay, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cohen, Compton, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Hannah, Harp, Harper, Iverson, Kitselman, Lory, Mercer, Meyers, Nathe, Nelson, Patterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sands, Simon, Stang, Stratford, Switzer, Thomas, Williams, Winslow, Mr. Speaker.
Total 40

Excused: Kennerly, Moore.
Total 2

Absent or not voting: Grinde, Wallin.
Total 2

Representative Simon moved that HB 623, second reading copy, be further amended as follows:

1. Page 2, line 17.
Strike: "(1)(c)(ii)"
Insert: "(1)(c)(i)"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 92

Noes: Hansen, Pistoria, Raney.
Total 3

Excused: Kennerly, Moore.
Total 2

Absent or not voting: Ellison, Gould, Switzer.
Total 3

Representative Simon moved that HB 623, second reading copy, be further amended. Amendment failed. (34-62)

Representative Moore present at this time.

Representative Iverson in the Chair.

Representative Harrington moved that HB 623, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Gould, Grady, Hansen, Harper, Harrington, Holliday, Jenkins, Jones, Keenan, Koehnke, McCormick, Manuel, Menahan, Mercer, Meyers,

Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Wallin, Whalen.
Total 58

Noes: Asay, Bardanouve, Brandewie, Bulger, Compton, Devlin, Ellison, Giacometto, Gilbert, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Kadas, Keller, Kitselman, Lory, Menke, Nathe, Nelson, Patterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Swift, Switzer, Thoft, Thomas, Williams, Mr. Speaker.
Total 38

Excused: Kennerly.
Total 1

Absent or not voting: Connelly, Stratford, Winslow.
Total 3

Representative Ramirez in the Chair.

HB 340 - Representative Kadas moved that HB 340, second reading copy, be amended as follows:

1. Page 4, line 24.
Strike: "YEAR"
Insert: "years commencing in"
Strike: "1989"
Insert: "1988"
Strike: "1990"
Insert: "1989, and thereafter"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow.
Total 93

Noes: Thomas.
Total 1

Excused: Kennerly.
Total 1

Absent or not voting: D. Brown, Grady, Nathe, O'Connell, Mr. Speaker.
Total 5

Representative Donaldson moved that HB 340, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gould, Grinde, Hansen, Hanson, Harper, Hoffman, Holliday, Iverson, Jenkins,

Jones, Kadas, Keenan, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Pavlovich, Peck, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 77

Noes: Brandewie, Campbell, Cobb, Gilbert, Glaser, Grady, Hannah, Harp, Hayne, Keller, Menke, Patterson, Poff, Raney, Switzer, Swysgood, Thoft, Thomas.

Total 18

Excused: Kennerly.

Total 1

Absent or not voting: Harrington, O'Connell, Peterson, Ream.

Total 4

HJR 16 - Representative Peck moved that HJR 16 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Devlin, Giacometto, Grinde, Hannah, Hayne.

Total 5

Excused: Kennerly.

Total 1

Absent or not voting: O'Connell.

Total 1

HJR 20 - Representative Grady moved that HJR 20 do pass. Motion failed. (22-77)

Representative Hannah moved that HJR 20 do not pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Harp, Harper, Hayne, Holliday, Iverson, Jones, Kadas, Keenan, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nelson, Nisbet, Patterson, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 79

Noes: Compton, Daily, Driscoll, Giacometto, Grady, Hanson, Harrington, Hoffman, Jenkins, Keller, Manuel, Miller, Nathe, O'Connell, Pavlovich, Phillips, Schye, Stratford.

Total 18

Excused: Kennerly.

Total 1

Absent or not voting: Squires, Mr. Speaker.

Total 2

HJR 26 - Representative Winslow moved that HJR 26 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Lory.

Total 1

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HJR 34 - Representative Winslow moved that HJR 34 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 96

Noes: Lory.

Total 1

Excused: Kennerly.

Total 1

Absent or not voting: Ellison, Mr. Speaker.

Total 2

HJR 36 - Representative Swift moved that HJR 36 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Asay, Cody, Poff.

Total 3

Excused: Kennerly.

Total 1

Absent or not voting: Harper.

Total 1

HJR 37 - Representative Cohen moved that HJR 37, second reading copy, be amended. Amendment failed. (33-60)

Representative Glaser moved that HJR 37 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Giacometto, Lory, Sales.

Total 3

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HJR 38 - Representative Cobb moved that HJR 38, second reading copy, be amended as follows:

1. Page 1, line 14.

Strike: "inadequate" through "markets"

Insert: "massive debt increases by individuals, businesses, states, and the federal government to pay for ongoing spending; and

WHEREAS, many states and the federal government have failed to encourage long-term investment and competition within the United States; and

WHEREAS, the federal government has failed to achieve a balance of trade between our country and our trading partners; and

WHEREAS, many countries have a different standard of living and are willing to take a lower minimum wage for workers for the production of similar quality goods produced within the United States"

2. Page 1, line 22.

Following: "to"

Insert: "implement policies that reduce expenses and"

3. Page 1, line 23.

Strike: "of raw materials at the marketplace to"

Insert: "for raw materials in the marketplace as necessary to achieve"

4. Page 2, line 8.

Strike: "members" through "paid" on line 9

Insert: "the cost of production should be kept"

5. Page 2, line 9.

Strike: "them"

Insert: "members of the labor force"

6. Page 2, line 12.

Strike: subsection (6) in its entirety

Re-number: subsequent subsection

7. Page 2, line 14.

Strike: "all"

Insert: "any"

Amendment passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Corne', Devlin, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Hoffman, Jenkins, Jones, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, O'Connell, Patterson, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Roth, Sales, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Winslow, Mr. Speaker.

Total 45

Noes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Driscoll, Grinde, Hansen, Harrington, Holliday, Kadas, Keenan, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, Peck, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen.

Total 44

Excused: Kennerly.

Total 1

Absent or not voting: D. Brown, Donaldson, Giacometto, Harper, Iverson, Keller, Nelson, Pavlovich, Wallin, Williams.

Total 10

Representative Schye moved that HJR 38, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Koehnke, McCormick, Manuel, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Compton, Devlin, Donaldson, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Hayne, Kitselman, Lory, Menke, Nelson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Stratford, Thomas, Wallin.

Total 26

Excused: Kennerly.

Total 1

Absent or not voting: Hoffman, Iverson, Menahan.

Total 3

HB 600 - Representative Miller moved that HB 600, second reading copy, be amended. Amendment failed. (40-58)

Representative Winslow moved that HB 600, second reading copy, be amended as follows:

1. Title, line 11.

Following: "53-2-306,"

Insert: "53-2-321,"

2. Page 1, line 22.

Strike: "July"

Insert: "October"

3. Page 2, line 24.

Following: "operate"

Insert: "the general relief portions of"

4. Page 1, line 24 through line 1, page 2.

Strike: "and provide" on page 1, line 24 through "but" on line 1, page 2

5. Page 2, line 1.

Following: "but"

Insert: "that"

6. Page 2, line 3.

Strike: "July"

Insert: "October"

7. Page 2, line 6.

Following: "to"

Insert: "the general relief portions of"

8. Page 2, line 7.

Strike: "and protective services"

9. Page 2, lines 9 and 10.

Strike: "All employees of the department become county employees"

Insert: "Counties may employ such staff as necessary to administer the general relief portion of public assistance or the county may contract with the department for the performance of these duties"

10. Page 2, line 13.

Following: "of"

Insert: "the general relief portion of"

11. Page 2.

Following: line 14

Insert: "NEW SECTION. Section 2. Definition. As used in [Title 53] chapters 2 and 3, "state-assumed county" means those counties that had certain welfare duties assumed by the state pursuant to chapter 2, part 8, prior to January 1, 1987. Those counties are:

- (1) Cascade;
- (2) Deer Lodge;
- (3) Flathead;
- (4) Lake;
- (5) Lewis and Clark;
- (6) Lincoln;
- (7) Mineral;
- (8) Missoula
- (9) Park;
- (10) Powell;
- (11) Ravalli; and
- (12) Silver Bow."

Renumber: subsequent sections

12. Page 6.

Following: line 8

Insert: "(4) In a state-assumed county the department shall select, appoint, and supervise all appropriate personnel, including if necessary a supervisor of staff personnel. All such personnel are directly responsible to the department."

13. Page 6, line 15.

Strike: "The"

Insert: "Except in a state-assumed county, the"

14. Page 6.

Following: line 21

Insert: "Section 7. Section 53-2-321, MCA, is amended to read:

"53-2-321. County authorized to care for indigent and levy taxes therefor. The board of county commissioners has jurisdiction and power under such limitations and restrictions as are prescribed by law to provide for the care and maintenance of the indigent sick, except as otherwise provided in other parts of this title, or the otherwise dependent poor of the county; and for said purposes to levy and collect annually a tax on property ~~not exceeding 13½ mills~~, which levy shall be made at the time other tax levies are made on property, as provided by law."

Renumber: subsequent sections

15. Page 9, line 22.

Following: "warrants"

Insert: "— grants"

Following: "when"

Insert: "(1)"

Strike: "If"

Insert: "Except as provided in subsection (2), if"

16. Page 12.

Following: line 12

Insert: "(2) A state-assumed county may apply to the department for a grant-in-aid if the county has levied at least 12 mills and the revenues from the levy is insufficient to meet its obligations in providing public assistance.

(3) A grant-in-aid is limited to one-half of the allowable costs that the county will be unable to provide for public assistance under a 12 mill levy.

(4) The grant-in-aid received by the county shall be placed in a grant-in-aid account to be kept separate and distinct from the poor fund account. All expenditures from the grant-in-aid shall be made by a separate series of warrants or checks marked as grant-in-aid warrants of checks.

(5) A grant-in-aid from the department may be used only for general relief and necessary administrative costs. Costs that are reimbursable under grant-in-aid may not exceed the scope or amounts in the Montana medicaid program or the benefit levels for the aid to families with dependent children administered by the department. Allowable costs may not exceed the limitations set forth by rules adopted by the department.

(6) If the county poor fund is replenished by other lawful sources of revenue, the county shall issue warrants to meet its obligations from the county poor fund until such time as that fund is again so depleted that warrants can no longer lawfully be drawn on that account. Upon depletion of the county poor fund, the county may again make disbursements from the grant-in-aid account as provided in subsection (4). At the close of the county fiscal year, the county shall return to the department any amounts remaining in the county poor fund and the grant-in-aid account, but the remaining amount to be returned may not exceed the total amount of the grant-in-aid for that fiscal year.

(7) Any amount which is unlawfully disbursed or transferred from the grant-in-aid account or used for a purpose other than that specified in the grant-in-aid shall be returned by the county to the department."

17. Page 19, line 3.

Following: "of"

Insert: "general"

18. Page 25, line 4.

Following: "to"

Insert: "participate in job search, training, and"

19. Page 25, line 5.

Following: "work"

Insert: "programs"

Following: "~~programs.~~"

Insert: "(1) A state-assumed county may require a general relief recipient to participate in job search and training programs. The state of Montana shall initiate, promote, and develop job search, training, and work programs that will contribute to the employability of persons receiving general relief under the provisions of this chapter. These programs must be designed to preserve and improve the work habits and job-finding skills of recipients for whom jobs are not otherwise immediately available.

(2) In each state-assumed county, the state shall institute a job search, training, and work program that provides able-bodied general relief recipients with the necessary job-finding skills to seek unsubsidized employment independently.

(3) In a state-assumed county, an able-bodied recipient of general relief shall enroll in a structured job search and training program. The program must include but is not limited to the following elements:

- (a) assessment and testing;
- (b) an employability plan;
- (c) remedial education or job skills training, if it is called for in the employability plan and if it provides for immediate referral to an appropriate Job Training Partnership Act program;
- (d) a job readiness and job search program that must include but is not limited to:
 - (i) self-assessment and occupational testing;
 - (ii) instruction in completing applications, writing resumes, and preparing for interviews;
 - (iii) identification of and contact with potential employers; and
 - (iv) participation in simulated job interviews;
- (e) a supervised effort to find employment; and
- (f) efforts to address barriers to employment."

20. Page 26, line 19.

Following: "~~if~~"

Insert: "(4)"

21. Page 27, line 5.

Strike: "~~(1)~~"

Insert: "~~(5)~~"

22. Page 27, line 9.

Strike: "~~(2)~~"

Insert: "~~(6)~~"

23. Page 27, line 16.

Strike: "~~(3)~~"

Insert: "~~(7)~~"

24. Page 27.

Following: line 23

Insert: "(8) A recipient who has completed the assessment and testing portions of the program and has developed an employability plan

shall participate in the job readiness and job search program provided for in subsection (3) for at least 80 hours in any 5-week period and shall spend at least 8 hours a week in a supervised effort to find employment.

(9) A recipient who has completed the job search program provided for in subsection (3) shall:

(a) continue to spend at least 8 hours a week in a supervised effort to find employment; and

(b) for the duration of his eligibility for general relief, spend 32 hours a week, as called for in the employability plan, in:

(i) remedial education;

(ii) counseling;

(iii) job skills training;

(iv) work for a public agency or a private nonprofit agency, as required in subsection (4); or

(v) job-seeking or other related activities.

(10) Nothing in this chapter requires a recipient to continue the activities required by subsection (9) for longer than 6 months.

(11) Where a labor organization represents a substantial number of employees who are engaged in similar work or training in the area where it is proposed to assign the recipient to work or training, an opportunity must be provided for that organization to submit comments with respect to such proposal.

(12) No work program may impair existing contracts for services or collective bargaining agreements, and no work program that would be inconsistent with the terms of a collective bargaining agreement may be undertaken without the written concurrence of the labor organization and employer concerned."

25. Page 32.

Following: line 20

Insert: "(2) Section 8 is effective July 1, 1987."

Renumber: subsequent subsections

26. Page 32, line 21.

Strike: "July"

Insert: "October"

Amendment passed as follows:

Ayes: Asay, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Grinde, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Patterson, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Winslow, Mr. Speaker.

Total 67

Noes: Addy, Bachini, Bardanouve, D. Brown, Bulger, Campbell, Daily, Darko, DeMars, Driscoll, Fritz, Glaser, Hannah, Hansen, Harrington,

McCormick, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poulsen, Quilici, Ream, Schye, Spaeth, Squires, Strizich, Vincent.
Total 31

Excused: Kennerly.
Total 1

Absent or not voting: Williams.
Total 1

Representative Winslow moved that HB 600, as amended, do pass.
Motion failed. (43-57)

Representative Hannah moved that HB 600, as amended, do not pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Glaser, Gould, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Wallin, Whalen, Williams.
Total 60

Noes: Asay, Brandewie, Cobb, Compton, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Nathe, Nelson, Peterson, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Thoft, Thomas, Winslow, Mr. Speaker.
Total 40

Paired: Kennerly, Aye; Asay, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ramirez moved the adoption of the committee report. Report adopted. (81-15)

MOTIONS

Representative Sales moved that HB 793 be taken from printing and referred to the Committee on State Administration for amendment. Motion failed. (33-65)

Representative Donaldson moved that HB 29, HB 291, HB 760, HB 777, and HB 820 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Lory moved that HB 165 be taken from the Committee on Judiciary and printed and placed on second reading on the 44th legislative day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 28 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Connelly, Kadas, Miller.

Total 3

Excused: Kennerly.

Total 1

Absent or not voting: Menke, Sales.

Total 2

HB 78 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: D. Brown, Cobb, Gould, Hayne.

Total 4

Excused: Kennerly.

Total 1

Absent or not voting: Hansen.

Total 1

HB 167 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Bachini, Bulger, Darko, Driscoll, Hansen, Harrington, Keenan, Miles, Moore, Nisbet, Peck, Ream, Russell, Squires, Stang, Vincent.

Total 16

Excused: Kennerly.

Total 1

Absent or not voting: Smith.

Total 1

HB 393 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Driscoll, Hannah, Nisbet, Sales.

Total 4

Excused: Kennerly.

Total 1

Absent or not voting: Quilici.

Total 1

HB 400 passed as follows:

Ayes: Asay, Bachini, Brandewie, Campbell, Cobb, Compton, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 63

Noes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Fritz, Grinde, Hansen, Harper, Kadas, Keenan, Menahan, Miles, Moore, Nisbet, O'Connell, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 36

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 406 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Bardanouve, Cody, Devlin, Fritz, Grinde, Nathe, Peck, Poff, Rapp-Svrcek.

Total 9

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 454 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Cody, Devlin, Giacometto, Phillips, Poff, Schye, Switzer, Swysgood.

Total 8

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 461 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Poff.

Total 1

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 466 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Simon, Smith, Squires, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Williams, Winslow, Mr. Speaker.

Total 74

Noes: Bradley, J. Brown, Cobb, Cohen, Devlin, Eudaily, Gilbert, Iverson, Kadas, Keenan, Meyers, Miles, Moore, Poff, Poulsen, Ramirez, Ream, Schye, Spaeth, Stratford, Vincent, Wallin, Whalen.

Total 23

Excused: Kennerly.

Total 1

Absent or not voting: Sands, Stang.

Total 2

HB 535 passed as follows:

Ayes: Asay, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 67

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, Compton, Connelly, Corne', Daily, Driscoll, Gilbert, Grinde, Hannah, Hansen, Harper, Kadas, Menahan, Miles, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Poff, Poulsen, Rehberg, Roth, Russell, Sands, Strizich, Vincent, Whalen.

Total 32

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 539 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: Kennerly.

Total 1

Absent or not voting: Squires.

Total 1

HB 568 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 87

Noes: Daily, Devlin, Giacometto, Gilbert, Grinde, Jenkins, Meyers, Peterson, Simon, Swift, Switzer, Thomas.

Total 12

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 635 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cobb, Fritz, Giacometto, Raney.

Total 4

Excused: Kennerly.

Total 1

Absent or not voting: Squires.

Total 1

HB 696 passed as follows:

Ayes: Asay, Brandewie, Campbell, Compton, Daily, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 53

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Lory, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Peck, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Switzer, Vincent, Whalen, Williams.

Total 46

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 708 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Cobb, Cody, DeMars, Devlin, Grinde, Hayne, McCormick, Menke, Moore, Nisbet, O'Connell, Peck, Raney, Swift, Thoft.

Total 15

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 724 passed as follows:

Ayes: Asay, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, DeMars, Devlin, Donaldson, Ellison,

Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Jenkins, Jones, Keenan, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Quilici, Ramirez, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Williams, Winslow, Mr. Speaker.

Total 67

Noes: Addy, Bachini, Bardanouve, Bradley, Corne', Daily, Darko, Driscoll, Fritz, Hansen, Harp, Harper, Holliday, Iverson, Kadas, Koehnke, Meyers, Miles, Nisbet, Pavlovich, Peck, Poff, Poulsen, Raney, Rapp-Svrcek, Russell, Spaeth, Squires, Strizich, Vincent, Wallin, Whalen.

Total 32

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 737 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Meyers.

Total 1

Excused: Kennerly.

Total 1

Absent or not voting: Eudaily.

Total 1

HB 740 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Cohen, Driscoll.

Total 2

Excused: Kennerly.

Total 1

Absent or not voting: Whalen.

Total 1

HB 745 failed to pass as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Cohen, Connelly, Corne', Darko, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah, Harp, Harper, Jones, Kadas, Kitselman, Lory, McCormick, Menke, Mercer, Nelson, Peck, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Squires, Swift, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 45

Noes: Asay, Bachini, D. Brown, Bulger, Campbell, Cobb, Cody, Compton, Daily, DeMars, Devlin, Ellison, Giacometto, Glaser, Grinde, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Koehnke, Manuel, Menahan, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Whalen, Williams.

Total 54

Paired: Ramirez, Aye; Kennerly, No.

Excused: None.

Total 0

Absent or not voting: Hansen.

Total 1

HB 747 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 750 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: Kennerly.

Total 1

Absent or not voting: Ellison.

Total 1

HB 755 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: Hoffman.

Total 1

Excused: Kennerly.

Total 1

Absent or not voting: Addy.

Total 1

HB 806 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Kennerly.

Total 1

Absent or not voting: Hannah.

Total 1

HB 825 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Kennerly.

Total 1

Absent or not voting: Jones.

Total 1

HB 417 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Harper, Harrington, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 74

Noes: Asay, Cobb, Compton, Devlin, Ellison, Giacometto, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Jones, Koehnke, Menke, Meyers, Nelson, Ramirez, Rehberg, Sales, Sands, Swift, Swysgood, Thoft, Mr. Speaker.

Total 25

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 429 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Campbell, Compton, Glaser, Grinde, Hoffman, Nathe, Swift, Swysgood, Thoft.

Total 9

Excused: Kennerly.

Total 1

Absent or not voting: None.

Total 0

HB 592 passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Sales, Smith, Stratford, Swift, Swysgood, Thoft, Thomas, Winslow, Mr. Speaker.

Total 50

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Vincent, Wallin, Whalen, Williams.

Total 49

Paired: Holliday, Aye; Kennerly, No.

Excused: None.

Total 0

Absent or not voting: Switzer.

Total 1

HJR 21 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth,

Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thomas, Vincent, Williams, Winslow, Mr. Speaker.
Total 91

Noes: Bulger, Hansen, Moore, Swysgood, Thoft, Wallin, Whalen.
Total 7

Excused: Kennerly.
Total 1

Absent or not voting: Switzer.
Total 1

HJR 32 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Kennerly.
Total 1

Absent or not voting: Grady.
Total 1

MOTIONS

Representative Bradley moved that she be allowed to change her vote on HB 400 on third reading from yes to no. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/23/87

Correctly printed: HB 155, HB 193, HB 219, HB 478, HB 495, HB 694, HB 705, HB 716, HB 717, HB 804, HB 819, HB 837, HJR 39, HJR 40.

Correctly engrossed: HB 284, HB 316, HB 765.

JUDICIARY (Lory, Chairman):

2/21/87

HB 219, introduced bill, be amended as follows:

1. Title, line 5.

Following: "ORGANIZATIONS"

Insert: "AND THEIR EMPLOYEES"

2. Title, line 6.

Following: "RODEO"

Insert: "COWBOY POLO, CUTTING HORSE, O-MOC-SEE, AND JACKPOT ROPING"

3. Title, line 7.

Strike: "AN IMMEDIATE"

Insert: "APPLICABILITY AND"

4. Title, line 8.

Strike: "DATE"

Insert: "DATES"

5. Page 1, line 12.

Following: "organizations"

Insert: "and their employees"

6. Page 1, line 13.

Following: "rodeo"

Insert: "and similar"

7. Page 1, line 14.

Following: "rodeo"

Insert: ", cowboy polo, cutting horse, o-moc-see, or jackpot roping event, or employee of the organization,"

8. Page 1, line 15.

Following: "in"

Strike: "a"

Insert: "the"

9. Page 1, line 16.

Strike: "rodeo"

Following: "willful"

Strike: ", "

Insert: "or"

Following: "wanton"

Strike: ", "

10. Page 1, line 17.

Strike: "or reckless"

11. Page 1, line 20.

Strike: "at a rodeo"

Insert: "in an"

12. Page 1, line 23.

Strike: "rodeo"

13. Page 2, lines 13 through 16.

Strike: section 4 in its entirety

Renumber: subsequent sections

14. Page 2, line 23.

Strike: "date"

Insert: "and applicability dates"

15. Page 2, line 24.

Strike: "on passage and approval"

Insert: "June 1, 1987, and applies to claims accruing after June 1, 1987"

And, as amended, do pass. Report adopted.

HB 286, introduced bill, be amended as follows:

2/23/87

1. Page 1, line 14.

Following: "but"

Insert: "for the purpose of protecting persons and property from injury or damage"

2. Page 1, line 18.

Strike: "underground or"

3. Page 2, line 5.

Following: "land"

Insert: ", if the seepage does not carry toxic chemicals onto the land"

4. Page 2, line 7.

Following: "district"

Insert: "or private person or entity"

5. Page 2, line 8.

Following: "district"

Insert: "or private person or entity, unless the irrigation district or private person or entity engaged in willful or wanton misconduct"

6. Page 2, line 9.

Following: "drowning"

Insert: ", unless the irrigation district or private person or entity was grossly negligent or engaged in willful or wanton misconduct"

7. Page 2, lines 10 through 15.

Strike: section 3 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 366, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "\$80,000"

Insert: "\$60,000"

2. Page 1, line 25.

Strike: "\$80,000"

Insert: "\$60,000"

And, as amended, do pass. Report adopted.

HB 460, introduced bill, be amended as follows:

2/21/87

1. Title, line 6.

Strike: "SECTION"

Insert: "SECTIONS 17-7-502 AND"

Strike: "AND"

2. Title, line 7.

Following: "1985"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 1.

Following: line 14, page 1 and line 17, page 3

Insert: "except a petition for dissolution of marriage,"

4. Page 1, line 17 and page 3, line 20.

Strike: "an additional"

Insert: "a"

5. Page 1, line 18 and page 3, line 21.

Strike: "\$55"

Insert: "\$100"

6. Page 3, line 10.
Strike: "additional"

7. Page 3, line 11.
Strike: "\$50"
Insert: "\$35"

8. Page 3, line 12.
Strike: "and \$5"
Insert: ", \$40"

9. Page 3, line 13.
Strike: "children's trust fund"
Strike: "41-3-702"
Insert: "[section 3], and \$25 must be deposited in and credited to the general fund of the county"

10. Page 5, line 2.
Strike: "subsection"
Insert: "subsections"
Following: "(3)"
Insert: "and (4)"

11. Page 5, line 13.
Strike: "additional"

12. Page 5, line 14.
Strike: "\$50"
Insert: "\$35"

13. Page 5, line 15.
Strike: "and \$5"
Insert: ", \$40"

14. Page 5, line 16.
Strike: "children's trust fund"
Strike: "41-3-702"
Insert: "[section 3], and \$25 must be deposited in and credited to the general fund of the county"

15. Page 5.
Following: line 16
Insert: "Section 2. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations:

(a) 2-9-202;

- (b) 2-17-105;
- (c) 2-18-812;
- (d) 10-3-203;
- (e) 10-3-312;
- (f) 10-3-314;
- (g) 10-4-301;
- (h) 13-37-304;
- (i) 15-31-702;
- (j) 15-36-112;
- (k) 15-70-101;
- (l) 16-1-404;
- (m) 16-1-410;
- (n) 16-1-411;
- (o) 17-3-212;
- (p) 17-5-404;
- (q) 17-5-424;
- (r) 17-5-804;
- (s) 19-8-504;
- (t) 19-9-702;
- (u) 19-9-1007;
- (v) 19-10-205;
- (w) 19-10-305;
- (x) 19-10-506;
- (y) 19-11-512;
- (z) 19-11-513;
- (aa) 19-11-606;
- (bb) 19-12-301;
- (cc) 19-13-604;
- (dd) 20-6-406;
- (ee) 20-8-111;
- (ff) 23-5-612;
- (gg) 37-51-501;
- (hh) 53-24-206;
- (ii) 75-1-1101;
- (jj) 75-7-305;
- (kk) 80-2-103;

- (ll) 80-2-228;
- (mm) 90-3-301;
- (nn) 90-3-302;
- (oo) 90-15-103; ~~and~~
- (pp) Sec. 13, HB 861, L. 1985; and
- (qq) [section 3].

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments."

NEW SECTION. Section 3. Programs account — use of account money. There is an account in the state special revenue fund. Money deposited in the account is statutorily appropriated to the commissioner, as provided in 17-7-502, to be used to fund programs under this part."

Renumber: subsequent section

16. Page 5.

Following: line 18

Insert: "NEW SECTION. Section 5. Extension of authority. Any existing authority of the commissioner of labor and industry to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 6. Codification instruction. Section 3 is intended to be codified as an integral part of Title 39, chapter 7, part 3, and the provisions of Title 39, chapter 7, part 3, apply to section 3.

NEW SECTION. Section 7. Effective date. This act is effective July 1, 1987."

And, as amended, do pass. Report adopted.

HB 495, introduced bill, be amended as follows:

2/23/87

1. Page 1, lines 16 through 20.

Strike: subsection (b) in its entirety

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 567, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "MUST"

Insert: "MAY"

2. Title, line 13.

Following: "AMOUNT;"

Insert: "PROVIDING THAT EVIDENCE OF INSURANCE DEFENDANT MAY HAVE AND EVIDENCE OF PLAINTIFF'S

AND DEFENDANT'S LITIGATION COSTS AND ATTORNEY FEES ARE ADMISSIBLE; AMENDING SECTION 33-23-102, MCA;"

3. Page 3, line 15.

Strike: "must"

Insert: "may"

4. Page 3, line 16.

Strike: "The" through "benefits." on line 23

5. Page 4.

Following: line 13

Insert: "(5) Evidence of the following is admissible in an action arising from bodily injury or death:

(a) insurance, including liability dollar limits, that is available to defendant to pay for a judgment against defendant; and

(b) plaintiff's and defendant's current and expected future litigation costs and attorney fees.

Section 3. Section 33-23-102, MCA, is amended to read:

"33-23-102. Existence of insurance not to be made evident — exception. No Except as provided in [section 2(5)], no attempt may be made in the trial of an action brought against a political subdivision of the state, municipality, or any public body, corporation, commission, board, agency, organization, or other public entity to suggest the existence of any insurance which covers in whole or in part any judgment or award which may be rendered in favor of plaintiff."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 633, introduced bill, be amended as follows:

1. Title, line 5.

Following: "PLACED IN"

Insert: "MOUNTAIN VIEW SCHOOL OR"

2. Title, line 6.

Strike: "AN ADULT"

Insert: "A YOUTHFUL OFFENDER"

3. Page 1, line 25 and line 23, page 2.

Strike: "an adult"

Insert: "a youthful offender"

4. Page 2, line 4.

Strike: "adult"

Insert: "youthful offender"

5. Page 2, line 22.

Following: "in the"

Insert: "Mountain View school or the"

And, as amended, do pass. Report adopted.

HB 754, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 9:00 a.m., February 24, 1987.

Motion carried.

House adjourned at 9:45 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FORTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 24, 1987

House Chambers
State Capitol

House convened at 9:15 a.m., Mr. Speaker in the Chair. Invocation by Representative Hayne. Pledge of Allegiance to the Flag.

Roll call. All members present except Kennerly and Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forty-second legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

2/24/87

Correctly printed: HB 286, HB 366, HB 460, HB 567, HB 583, HB 606, HB 633, HB 652, HB 666, HB 678, HB 730, HB 754, HB 793, HB 839.

Correctly engrossed: HB 29, HB 66, HB 165, HB 220, HB 291, HB 434, HB 459, HB 610, HB 619, HB 642, HB 725, HB 760, HB 762, HB 767, HB 777, HB 779, HB 792, HB 815, HB 818, HB 820, HB 822, HB 823, HB 836, HJR 16, HJR 26, HJR 34, HJR 36, HJR 37.

Delivered to the Governor for his approval at 9:10 a.m.: HB 41.

JUDICIARY (Lory, Chairman):

2/24/87

HB 668, introduced bill, be amended as follows:

1. Title, line 8.

Following: "OTHER"

Insert: "AND TO PROVIDE THAT, EXCEPT FOR THE FIRST OFFENSE, THE PENALTIES IN THE TWO STATUTES ARE THE SAME"

2. Page 3, line 17.

Following: "convictions"

Insert: "under this section"

3. Page 4, lines 3 and 4.

Following: "~~\$500.~~"

Strike: "Second or subsequent convictions of 61-8-406 shall be treated under 61-8-714"

Insert: "On a second conviction, he shall be punished by a fine of not less than \$300 or more than \$500 and by imprisonment for not less than 7 days, at least 48 hours of which must be served consecutively, or more than 6 months. Three days of the jail sentence may not be suspended unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being"

4. Page 4, line 8.

Following: "~~\$1,000.~~"

Insert: "(3) On a third or subsequent conviction, he shall be punished by imprisonment for a term of not less than 30 days, at least 48 hours of which must be served consecutively, or more than 1 year, to which may be added, in the discretion of the court, a fine of not

less than \$500 or more than \$1,000. Notwithstanding any provision to the contrary providing for suspension of execution of a sentence imposed under this subsection, the imposition or execution of the first 10 days of the jail sentence imposed for a third or subsequent offense that occurred within 5 years of the first offense may not be deferred or suspended."

Renumber: subsequent subsections

5. Page 5, line 15.

Following: "convictions"

Insert: "under this section"

And, as amended, do pass. Report adopted.

HB 748, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

2/20/87

Adverse Committee Reports

HB 412, do not pass. Chairman Ramirez moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Hannah.

Total 1

Excused: Kennerly, Moore.

Total 2

Absent or not voting: D. Brown, Cobb, Corne', Eudaily, Hansen, Harrington, Hoffman, Nathe, Ream.

Total 9

HB 726, do not pass. Chairman Ramirez moved to adopt the committee report. Representative Spaeth made a substitute motion that the adverse committee report be not adopted and the bill be returned to the table in the Committee on Taxation. The Spaeth motion carried. (96-2)

MOTIONS

Representative Hannah moved that joint rules 622 and 629 be suspended to allow bills heard on second reading to be heard on third reading the same day, and to suspend the 24-hour rule for committee reports. Motion carried unanimously.

Representative Kennerly present at this time.

Representative Rapp-Svrcek moved that the House reconsider its action in failing to pass HB 745 on third reading yesterday, and the bill be brought back to second reading and amended to allow public participation.

After debate, Representative Devlin moved the previous question. Motion carried. The motion to reconsider passed. (50-46)

Representative Pistoria moved that HB 514 be taken from the table in the Committee on Judiciary and printed and placed on second reading. Motion failed. (39-59)

Representative Kadas moved that HB 341 be taken from the table in the Committee on Education and printed and placed on second reading on the 45th legislative day. Motion failed. (32-64)

Representative Connelly moved that HB 382 be taken from the table in the Committee on Appropriations and printed and placed on second reading. After debate, Representative Gould moved the previous question. Motion carried. The Connelly motion failed. (42-48)

Representative Jones moved that HB 250 be taken from the table in the Committee on Education and printed and placed on second reading on the 45th legislative day. After debate, Representative Quilici moved the previous question. Motion carried. The Jones motion failed. (36-61)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 220 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Asay, Hayne, Hoffman, Koehnke.

Total 4

HB 284 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang,

Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Moore.
Total 1

Absent or not voting: Hayne, Koehnke, Stratford.
Total 3

HB 356 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 96

Noes: Nisbet.
Total 1

Excused: Moore.
Total 1

Absent or not voting: Koehnke, Smith.
Total 2

HB 434 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Keenan, Keller, Kitselman, Lory, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Phillips, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Mr. Speaker.
Total 73

Noes: Campbell, Cobb, Connelly, Eudaily, Giacometto, Gould, Hansen, Jenkins, Kadas, Kennerly, McCormick, Mercer, O'Connell, Peck, Peterson, Raney, Rehberg, Roth, Sales, Stratford, Swysgood, Thomas, Winslow.
Total 23

Excused: Moore.
Total 1

Absent or not voting: Koehnke, Pistoria, Ream.
Total 3

HB 459 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Bachini, Cobb, Compton, Devlin, Giacometto, Hanson, Hayne, Keller, Menke, Meyers, Peck, Peterson, Raney, Stratford, Swift, Switzer, Thoft.

Total 17

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 610 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Bardanouve, Brandewie, Bulger, Campbell, Cohen, Connelly, Fritz, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Kadas, Kitselman, Koehnke, Meyers, Patterson, Peterson, Ream, Swift, Switzer, Thomas.

Total 23

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 619 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Campbell, Connelly, Hansen, Kadas, Pavlovich.

Total 5

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 642 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Nathe, Peterson.

Total 2

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 725 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Cohen, Menke, Swysgood, Thoft.

Total 4

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 729 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Cody, McCormick, Wallin.

Total 3

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 762 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Addy, Campbell, Driscoll, Giacometto, Harp, Koehnke, O'Connell, Patterson, Peterson, Spaeth.

Total 10

Excused: Moore.

Total 1

Absent or not voting: Ellison.

Total 1

HB 765 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Asay, Campbell, Devlin, Giacometto, Gilbert, Hannah, Hanson, Hayne, Hoffman, Menke, Meyers, Nathe, Sales, Sands, Stratford, Swift, Swysgood.

Total 17

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 767 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Asay, Cobb, Cody, Driscoll, Grinde, Peck, Peterson, Smith, Stratford.

Total 9

Excused: Moore.

Total 1

Absent or not voting: Patterson.

Total 1

HB 779 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 792 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Asay, Campbell, Cody, Driscoll, Hannah, Switzer.

Total 6

Excused: Moore.

Total 1

Absent or not voting: Hansen, Miller.

Total 2

HB 803 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Fritz, Hannah.

Total 2

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 818 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Spaeth, Wallin.

Total 2

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 822 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: McCormick.

Total 1

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 823 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Jenkins, Roth.

Total 2

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HJR 16 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 96

Noes: Hayne, Lory, Menahan.
Total 3

Excused: Moore.
Total 1

Absent or not voting: None.
Total 0

HJR 26 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: Cohen, Lory.
Total 2

Excused: Moore.
Total 1

Absent or not voting: None.
Total 0

HJR 34 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Fritz, Lory, Peck.

Total 3

Excused: Moore.

Total 1

Absent or not voting: Cohen, Stratford.

Total 2

HJR 36 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cody, Gould, Lory.

Total 3

Excused: Moore.

Total 1

Absent or not voting: Ellison, McCormick.

Total 2

HJR 37 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Asay, Jenkins, Lory, Nathe, Ramirez, Sales.

Total 6

Excused: Moore.

Total 1

Absent or not voting: Pistoria.

Total 1

MOTIONS

Representative D. Brown moved that consideration of HB 645 on second reading be placed below HB 344 on the second reading board. Motion carried.

Representative Pistoria moved that he be allowed to be shown as voting yes on HB 725 on third reading this day, as he missed the vote on that bill. Motion carried.

Representative Hannah moved that the House stand in recess for brief party caucuses until 11:00 a.m. Motion carried.

Committee meetings were announced by committee chairmen.

House recessed at 10:30 a.m.

House reconvened at 11:20 a.m.

Mr. Speaker in the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 146 - Representative Spaeth moved that HB 146 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cohen, Fritz, Kadas.

Total 3

Excused: Moore.

Total 1

Absent or not voting: Driscoll, Rapp-Svrcek.

Total 2

HB 219 - Representative Holliday moved that HB 219, second reading copy, be amended as follows:

1. Title, line 6.

Strike: "AMATEUR"

2. Page 1, line 14.

Strike: "amateur"

3. Page 1, line 15.

Strike: "amateur"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Addy.

Total 1

Excused: Moore.

Total 1

Absent or not voting: Driscoll, Hannah, Harper, Nelson.

Total 4

Representative Driscoll in the Chair.

Representative Holliday moved that HB 219, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Kadas, Whalen.

Total 2

Excused: Moore.

Total 1

Absent or not voting: Driscoll.

Total 1

HB 478 - Representative Thomas moved that HB 478 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen,

Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Addy, Bulger, Cohen, Fritz, Hansen, Kadas, Miles, Ramirez, Whalen.

Total 9

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 240 - Representative Thomas moved that HB 240 do pass. Motion carried as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Darko, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 75

Noes: Addy, Bachini, Cohen, Connelly, Daily, DeMars, Driscoll, Fritz, Hansen, Harrington, Kadas, Keenan, Koehnke, Menahan, Miles, Nisbet, Pavlovich, Poulsen, Quilici, Raney, Russell, Squires, Strizich, Whalen.

Total 24

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 344 - Representative Asay moved that HB 344 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 98

Noes: Whalen.

Total 1

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 645 - Representative Marks moved that HB 645, second reading copy, be amended. Representative Kadas made a substitute motion that the amendment be divided. Motion failed.

The Marks amendment reads as follows:

1. Page 8, line 10.

Following: "SECTION"

Insert: "if the local government unit clearly demonstrates that it is likely to experience increased capital and operating costs from the mineral development"

2. Page 8.

Following: line 22

Insert: "without any review"

Following: "board"

Strike: "SUBJECT" through "PLAN" on line 24

Amendment passed as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Addy, Bardanouve, Bulger, Cohen, Harper, Kadas, Keenan, Miles, Raney, Ream, Russell, Schye, Squires, Whalen.

Total 14

Excused: Moore.

Total 1

Absent or not voting: Poulsen.

Total 1

Representative D. Brown moved that HB 645, as amended, do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Addy, Bardanouve, Bulger, Cohen, Connelly, Driscoll, Harper, Kadas, Miles, Ream, Russell, Schye, Squires, Whalen.

Total 14

Excused: Moore.

Total 1

Absent or not voting: Hansen.

Total 1

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Driscoll moved the adoption of the committee report. Report adopted. (91-7)

MOTIONS

Representative Bradley moved that HB 542 be taken from the table in the Committee on Human Services and printed and placed on second reading. Motion failed. (49-51)

Representative Hannah moved that the House stand in recess until 1:45 p.m. Motion carried.

House recessed at 1:05 p.m.

House reconvened at 2:00 p.m.

Mr. Speaker in the Chair.

Representative Jenkins moved that HB 778 be moved to the bottom of the second reading board. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 2/24/87

Correctly printed: HB 586, HB 668, HB 748, HB 789, HB 810.

Correctly engrossed: HB 340, HB 356, HB 623, HB 721, HB 796, HB 831, HJR 38.

BUSINESS AND LABOR (Kitselman, Chairman): 2/24/87

HB 586, introduced bill, be amended as follows:

1. Page 1, line 18.

Following: "agent"

Strike: "of"

Insert: "appointed by"

Following: "department"

Insert: "after May 1, 1987,"

2. Page 1, line 24.

Following: "stores,"

Insert: "or agency stores appointed on or before April 30, 1987,"

3. Page 2, line 21.

Strike: "July 1, 1989"

Insert: "May 1, 1987"

Committee attached the following statement of intent:

Statement of Intent

HB 586

A statement of intent is required for HB 586 because it contemplates a modification of the department of revenue's existing rule establishing a

markup on table wine. This bill is intended to equalize the status of agency liquor stores established in the future between stores which hold wine retailing licenses (e.g. grocery stores or pharmacies) and agency stores which do not hold wine licenses. The latter class of agents may purchase table wine from local wine distributors with their own funds, should they choose to do so, as the agents with wine licenses will be doing. The department should set a markup reflective of market conditions in wine retailing. The agent would remit to the department that portion of the markup remaining after the agent's commission comes out. The agent would also retain so much of his receipts from table wine sales as reflects the cost of the wine to him, in order to replenish inventory.

And, as amended, do pass. Report adopted.

HB 789, introduced bill, be amended as follows:

1. Title, line 4.

Following: "DEFINING A"

Insert: "HAZARDOUS WASTE"

2. Title, line 7.

Following: "CONCERNING"

Insert: "HAZARDOUS WASTE"

3. Title, line 9.

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

4. Page 3.

Following: line 2

Insert: "(9) 'Hazardous waste transfer facility' means any land, structure, or improvement, including loading docks, parking areas, holding sites, and other similar areas, whose primary purpose is the transportation and temporary storage of hazardous wastes and where shipments of hazardous waste are temporarily held for a period of 10 days or less during the normal course of transportation up to but not including the point of ultimate treatment, storage, or disposal."

Renumber: subsequent subsections

5. Page 3, line 24 through page 4, line 5.

Strike: subsection (13) in its entirety

Renumber: subsequent subsections

6. Page 8, line 9.

Following: "for"

Insert: "hazardous waste"

7. Page 8, line 10.

Following: "facilities."

Insert: "These permitting requirements do not extend to common carriers, as defined under the federal Motor Carrier Act or Title 69, chapter 11, whose transportation of hazardous waste is a minor part of their commodity transportation activity.

(3) Permitting requirements in rules adopted under subsection (2)(d) do not apply to hazardous waste transfer facilities that were in operation on June 30, 1987."

Committee attached the following statement of intent:

Statement of Intent

HB 789

A statement of intent is required for this bill because it delegates rule-making and permitting authority to the department of health and environmental sciences. House Bill 789 adds transfer facilities operated by

hazardous waste transporters to the category of facilities that require permits under the Montana Hazardous Waste Act.

It is the intent of the legislature that the department adopt and implement administrative rules that will ensure that proposed hazardous waste transfer facilities undergo a review and approval process before the commencement of waste handling activities.

The legislature intends that the administrative rules developed by the department to implement House Bill 789 should be similar to those rules applicable to hazardous waste management facilities that store wastes for longer periods of time. The department may develop rules for transfer facilities that are less restrictive or less encompassing than those for long-term storage facilities, but may not adopt rules that are more restrictive or more encompassing than those for long-term storage facilities. The department may not adopt rules that are more restrictive or broader in scope than the comparable rules for hazardous waste management facilities that store wastes for longer periods of time.

The legislature understands and intends that the rules developed by the department to implement House Bill 789 must include the following:

- (1) preparedness for hazardous waste emergencies;
- (2) development of emergency contingency plans;
- (3) training of transfer facility personnel;
- (4) security provisions at transfer facilities;
- (5) hazardous waste drum handling, temporary storage methods, and containment requirements that minimize the possibilities of leaks, spills, off-site releases, or similar accidents; and
- (6) the proper design of transfer facilities to prevent threats to adjoining property and to environmental resources.

And, as amended, do pass. Report adopted.

HB 810, introduced bill, be amended as follows:

1. Page 1, lines 19 and 20.

Following: "local public" on line 19

Strike: "or private nonprofit"

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 849, introduced by Quilici, Harp, Daily, Menahan, (By Request of the Lieutenant Governor's Office). Referred to Committee on Appropriations.

HB 850, introduced by Roth. Referred to Committee on Taxation.

The following Senate bills were introduced, read first time, and referred to committees:

SB 34, introduced by Harding. Referred to Committee on Business and Labor.

SB 71, introduced by Gage. Referred to Committee on Taxation.

SB 77, introduced by Pinsonault. Referred to Committee on Judiciary.

SB 94, introduced by Lybeck. Referred to Committee on Judiciary.

SB 103, introduced by Hager. Referred to Committee on Business and Labor.

SB 136, introduced by Mazurek. Referred to Committee on State Administration.

- SB 139**, introduced by E. Smith. Referred to Committee on Judiciary.
- SB 142**, introduced by Weeding. Referred to Committee on Agriculture.
- SB 188**, introduced by Walker. Referred to Committee on Business and Labor.
- SB 219**, introduced by Meyer. Referred to Committee on Fish and Game.
- SB 226**, introduced by Halligan. Referred to Committee on Judiciary.
- SB 241**, introduced by Keating. Referred to Committee on Judiciary.
- SB 243**, introduced by Vaughn. Referred to Committee on Fish and Game.
- SB 246**, introduced by Bengtson. Referred to Committee on Human Services.
- SB 252**, introduced by Regan. Referred to Committee on Human Services.
- SB 262**, introduced by Gage. Referred to Committee on Natural Resources.
- SB 274**, introduced by Hammond. Referred to Committee on Local Government.
- SB 276**, introduced by Pinsoneault. Referred to Committee on Education and Cultural Resources.
- SB 277**, introduced by Hofman. Referred to Committee on Agriculture.
- SB 279**, introduced by Keating. Referred to Committee on State Administration.
- SB 280**, introduced by McCallum. Referred to Committee on Business and Labor.
- SB 288**, introduced by McLane. Referred to Committee on Local Government.
- SB 294**, introduced by Meyer. Referred to Committee on Business and Labor.
- SB 295**, introduced by Meyer. Referred to Committee on Business and Labor.
- SB 297**, introduced by Harding. Referred to Committee on Taxation.
- SB 298**, introduced by Neuman. Referred to Committee on Business and Labor.
- SB 299**, introduced by Meyer. Referred to Committee on Business and Labor.
- SB 300**, introduced by Manning. Referred to Committee on Highways and Transportation.
- SB 305**, introduced by Eck. Referred to Committee on Human Services.
- SB 313**, introduced by Blaylock. Referred to Committee on Business and Labor.
- SB 314**, introduced by Hammond. Referred to Committee on Business and Labor.
- SB 316**, introduced by Hirsch. Referred to Committee on Local Government.
- SB 319**, introduced by Mazurek. Referred to Committee on Business and Labor.
- SB 320**, introduced by B. Brown. Referred to Committee on Fish and Game.
- SB 321**, introduced by Jergeson. Referred to Committee on Agriculture.
- SB 326**, introduced by Haffey. Referred to Committee on State Administration.
- SB 331**, introduced by E. Smith. Referred to Committee on Fish and Game.
- SB 352**, introduced by Mazurek. Referred to Committee on Fish and Game.

SB 354, introduced by Stimatz. Referred to Committee on State Administration.

SB 355, introduced by Walker. Referred to Committee on State Administration.

SB 356, introduced by Kolstad. Referred to Committee on Local Government.

SB 367, introduced by Harding. Referred to Committee on Local Government.

SB 374, introduced by Neuman. Referred to Committee on Business and Labor.

SJR 12, introduced by Weeding. Referred to Committee on Agriculture.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Driscoll in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 414 - Representative Miller moved that HB 414 do pass. Representative D. Brown made a substitute motion that HB 414, second reading copy, be amended as follows:

1. Page 1, line 12.

Strike: "(1)"

2. Page 1, line 19.

Strike: subsection (2) in its entirety

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Addy, O'Connell, Poff, Whalen.

Total 4

Excused: Moore.

Total 1

Absent or not voting: Thomas.

Total 1

HB 414, as amended, failed to pass. (44-53)

Representative Hannah moved that HB 414, as amended, do not pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Compton, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz,

Giacometto, Gilbert, Gould, Grinde, Hannah, Harper, Harrington, Hoffman, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, Patterson, Peck, Poff, Quilici, Rapp-Svrcek, Roth, Schye, Simon, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams.

Total 57

Noes: Addy, Brandewie, Bulger, Campbell, Cobb, Cohen, Connelly, Corne', Daily, Darko, Glaser, Grady, Hansen, Hanson, Harp, Hayne, Holliday, Kennerly, Lory, McCormick, Manuel, Miller, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Ream, Rehberg, Russell, Sales, Sands, Smith, Spaeth, Squires, Vincent, Whalen, Winslow.

Total 41

Excused: Moore.

Total 1

Absent or not voting: Mr. Speaker.

Total 1

HB 460 - Representative Keenan moved that HB 460 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 89

Noes: Asay, Campbell, Giacometto, Grinde, Raney, Sales, Spaeth.

Total 7

Excused: Moore.

Total 1

Absent or not voting: Nathe, Williams, Mr. Speaker.

Total 3

HB 474 - Representative Lory moved that HB 474 be placed at the bottom of the second reading board because Representative Moore, the sponsor, will be here then. Motion carried.

HB 482 - Representative Schye moved that HB 482 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith,

Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Moore.
Total 1

Absent or not voting: D. Brown.
Total 1

HB 491 - Representative Spaeth moved that HB 491 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 95

Noes: Whalen.
Total 1

Excused: Moore.
Total 1

Absent or not voting: Brandewie, Bulger, Harp.
Total 3

HB 486 - Representative Koehnke moved that HB 486, second reading copy, be amended as follows:

1. Page 1, line 25.
Strike: "MAY"
Insert: "shall"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 95

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Bardanouve, D. Brown, Corne', Williams.

Total 4

Representative Koehnke moved that HB 486, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 95

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: D. Brown, Nathe, Quilici, Mr. Speaker.

Total 4

HB 495 - Representative Corne' moved that HB 495 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Winslow.

Total 87

Noes: Campbell, Hannah, Hoffman, Jones, Meyers, Sands, Swysgood, Thomas.

Total 8

Excused: Moore.

Total 1

Absent or not voting: D. Brown, Ellison, Nathe, Mr. Speaker.

Total 4

HB 546 - Representative Fritz moved that HB 546 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 93

Noes: Driscoll, Whalen.

Total 2

Excused: Moore.

Total 1

Absent or not voting: D. Brown, Nathe, O'Connell, Mr. Speaker.

Total 4

HB 564 - Representative Spaeth moved that HB 564, second reading copy, be amended as follows:

1. Page 2, lines 23 through 24.

Strike: "(1)" through "(1)." on line 25

2. Page 3, line 1.

Strike: "(2)"

Insert: "(1) An elected or appointed"

Strike: "A"

Re-number: subsequent subsection

3. Page 7, line 1.

Following: "by"

Insert: "appointment by the governing body or by"

4. Page 7, line 2.

Following: "election"

Insert: ","

5. Page 7, line 25.

Following: "filled"

Insert: "either"

Following: "election"

Insert: "or appointment"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Donaldson, Giacometto, Kadas, Nathe, O'Connell.

Total 5

Representative Williams moved that HB 564, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Driscoll, O'Connell, Squires.

Total 3

HB 566 - Representative Keenan moved that HB 566 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: O'Connell, Switzer.

Total 2

HB 577 - Representative D. Brown moved that HB 577 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 89

Noes: Menke, Nathe, Peck, Sales, Sands, Swift, Swysgood.

Total 7

Excused: Moore.

Total 1

Absent or not voting: Kennerly, Nelson, Mr. Speaker.

Total 3

HB 670 - Representative Bachini moved that HB 670 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Fritz, Giacometto, Gould, Grady, Hansen, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Spaeth, Squires, Stang, Vincent, Wallin, Whalen, Williams.

Total 61

Noes: Addy, Bulger, Campbell, Cobb, Cohen, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Grinde, Hannah, Hanson, Hoffman, Jones, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Roth, Sales, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Winslow.

Total 35

Excused: Moore.

Total 1

Absent or not voting: Devlin, Strizich, Mr. Speaker.

Total 3

HB 694 - Representative Thomas moved that HB 694, second reading copy, be amended as follows:

1. Page 3, lines 16 through 20.

Strike: section (6) in its entirety

Renumber: subsequent sections

2. Page 1, line 10.

Page 1, line 13.

Page 4, line 1.

Page 4, line 3.

Strike: "6"

Insert: "5"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.
Total 91

Noes: Cohen, Whalen.
Total 2

Excused: Moore.
Total 1

Absent or not voting: Daily, Devlin, Fritz, Grinde, Pavlovich, Mr. Speaker.
Total 6

Representative Thomas moved that HB 694, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow.
Total 76

Noes: Asay, Campbell, Ellison, Giacometto, Glaser, Grinde, Hanson, Hayne, Jenkins, Keller, Kitselman, Koehnke, Menke, Meyers, Patterson, Peck, Sales, Simon, Stratford, Swift, Wallin.
Total 21

Excused: Moore.
Total 1

Absent or not voting: Devlin, Mr. Speaker.
Total 2

HB 746 - Representative Cohen moved that HB 746, second reading copy, be amended as follows:

1. Page 6.

Following: line 2

Insert: "(8) In the event of a transfer of property ownership or system operation, a valid license remains in effect for the system for which it was issued and transfers to the new owner or operator."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 97

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Pavlovich, Mr. Speaker.

Total 2

Representative Brandewie moved that HB 746, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Asay, Giacometto, Gilbert, Kitselman, Koehnke, Nelson, Peck.

Total 7

Excused: Moore.

Total 1

Absent or not voting: Corne', Patterson.

Total 2

HB 761 - Representative Thoft moved that HB 761 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Patterson, Pavlovich, Peck, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 84

Noes: Cohen, Giacometto, Gould, Kitselman, Miller, Nelson, Nisbet, O'Connell, Peterson, Pistoria, Poulsen, Whalen.

Total 12

Excused: Moore.

Total 1

Absent or not voting: Bradley, DeMars, Mr. Speaker.

Total 3

Representative Moore present at this time.

HB 790 - Representative Rehberg moved that HB 790 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Bulger, Poulsen, Raney.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 793 - Representative Squires moved that HB 793 do not pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Addy, Bradley, Connelly, Fritz, Kadas, Koehnke, Moore, Ream.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 800 - Representative Rapp-Svrcek moved that HB 800 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

HB 804 - Representative Jenkins moved that HB 804, second reading copy, be amended as follows:

1. Page 6.

Following: line 18

Insert: "(a) the sublease is one-third or less acres of the lease;"

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Grady, Hayne.
Total 2

Representative Jenkins moved that HB 804, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily,

Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Miller, Moore, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Asay, Cody, Devlin, Grinde, Kadas, Menahan, Nathe, Peck, Sales, Spaeth, Switzer.

Total 11

Excused: None.

Total 0

Absent or not voting: Hannah, Mercer, O'Connell.

Total 3

HB 805 - Representative Roth moved that HB 805 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Bulger, Cobb, Compton, Connelly, Corne', Darko, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Holliday, Iverson, Jones, Keenan, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Moore, Patterson, Peck, Peterson, Pistoria, Poulsen, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Simon, Smith, Spaeth, Squires, Strizich, Swift, Thoft, Vincent, Winslow, Mr. Speaker.

Total 50

Noes: Asay, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, DeMars, Devlin, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Hanson, Harp, Kadas, Keller, Kennerly, Kitselman, Koehnke, Meyers, Nathe, Nelson, Nisbet, O'Connell, Phillips, Poff, Quilici, Raney, Russell, Sales, Schye, Stang, Stratford, Switzer, Swysgood, Thomas, Whalen, Williams.

Total 41

Excused: None.

Total 0

Absent or not voting: Daily, Donaldson, Fritz, Giacometto, Hoffman, Jenkins, Miller, Pavlovich, Wallin.

Total 9

HB 819 - Representative Nathe moved that HB 819 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Daily, Fritz, Grady, Pavlovich.

Total 4

HB 837 - Representative Jenkins moved that HB 837, second reading copy, be amended as follows:

1. Page 1, line 17.

Strike: "and the debtor's" through "number" on line 19

2. Page 1, line 21.

Following: "address"

Insert: "and the county of residence"

3. Page 3, line 8.

Strike: "Social" through "number" on line 9

4. Page 3.

Following: line 10

Insert: "County of residence"

5. Page 14.

Following: line 13

Insert: "(4) Within 30 days after [the effective date of this act], the secretary of state shall provide a listing of all financing statements recorded on the system described in 30-9-403(9) covering collateral described in 30-9-403(8) to each county clerk and recorder. The secretary of state shall compile the listing alphabetically by debtor's name and may distribute the listing on microfilm or microfiche. The secretary of state shall provide the listing without charge to the county."

Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Glaser, Williams, Mr. Speaker.

Total 3

Representative Harrington in the Chair.

Representative Jenkins moved that HB 837, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 86

Noes: Bulger, Cody, Devlin, Giacometto, Kadas, Nisbet, Raney, Switzer, Whalen.

Total 9

Excused: None.

Total 0

Absent or not voting: D. Brown, Driscoll, Manuel, Poulsen, Mr. Speaker.

Total 5

Representative Driscoll in the Chair.

HB 839 - Representative Sands moved that HB 839 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 165 - Representative J. Brown moved that HB 165 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HJR 39 - Representative Connelly moved that HJR 39 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Poff, Mr. Speaker.

Total 2

HJR 40 - Representative Asay moved that HJR 40 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 96

Noes: Lory, Whalen.

Total 2

Excused: None.

Total 0

Absent or not voting: Kadas, Mr. Speaker.

Total 2

HB 745 - Representative Ramirez moved that HB 745, second reading copy, be amended. Amendment failed. (46-53)

Representative Ramirez moved that HB 745 do not pass. Motion failed. (49-49)

Representative Rapp-Svrcek moved that HB 745, second reading copy, be amended as follows:

1. Page 1, line 16.

Following: "subsection"

Strike: "(3)"

Insert: "(4)"

2. Page 2, line 15.

Following: "state,"

Strike: "and it shall become law."

Insert: "and the secretary of state shall immediately forward the plan to the governing body of each affected county.

(4) The governing body of each affected county shall by resolution direct that the question of the proposed consolidation or reorganization be submitted to the qualified electors of the county at the next countywide election. The ballot statement in each affected county shall include only the portion of the proposal that affects that county. That portion of the proposal shall become law unless a majority of those voting in any affected county reject it."

Renumber: subsequent subsection

3. Page 3, line 2.

Strike: "consolidate and reorganize"

Insert: "formulate a plan for consolidating and reorganizing"

4. Page 3, line 5.

Strike: "consolidate and reorganize"

Insert: "formulate a plan for consolidating and reorganizing"

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harp, Harper, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Peck, Peterson, Phillips, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 77

Noes: Bachini, D. Brown, Daily, Grinde, Hanson, Harrington, Hayne, Hoffman, Keller, Koehnke, McCormick, Nisbet, Patterson, Pavlovich, Pistoria, Poff, Poulsen, Quilici, Ramirez, Sands, Schye, Strizich, Switzer.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Ramirez moved that HB 745, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hansen, Harp, Harper, Kadas, Kitselman, Lory, Menke, Miller, Moore, Nelson, Peterson, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Strizich, Swift, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 50

Noes: Asay, Bachini, D. Brown, Campbell, Compton, Daily, DeMars, Devlin, Giacometto, Glaser, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Koehnke, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Russell, Schye, Stang, Stratford, Switzer, Swysgood, Thoft, Williams.

Total 48

Excused: None.

Total 0

Absent or not voting: Poulsen, Whalen.

Total 2

HB 778 - Representative Jenkins moved that HB 778 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Keenan, Keller, Kitselman, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Stratford, Strizich, Switzer, Whalen, Williams, Winslow, Mr. Speaker.

Total 69

Noes: D. Brown, Bulger, Cody, Connelly, Daily, Driscoll, Ellison, Hansen, Harper, Harrington, Hoffman, Jones, Kadas, Kennerly, Koehnke, Manuel, Nathe, Nisbet, Peck, Peterson, Spaeth, Stang, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin.

Total 28

Excused: None.

Total 0

Absent or not voting: Asay, Sands, Squires.

Total 3

HB 474 - Representative Moore moved that HB 474 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Giacometto, Gilbert, Grinde, Nathe, Sales, Swift, Switzer, Swysgood, Thoft.

Total 9

Excused: None.

Total 0

Absent or not voting: Smith.

Total 1

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Driscoll moved the adoption of the committee report. Report adopted. (95-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 146 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Cohen, Kadas, Whalen.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 219 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz,

Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 98

Noes: Kadas, Whalen.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 478 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Bulger, Cohen, Daily, Fritz, Hansen, Kadas, Mercer, Peck, Ramirez, Russell, Whalen.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 240 passed as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 75

Noes: Addy, Bachini, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Kadas, Keenan, Kennerly, Koehnke, Menahan, Miles, Moore, Nisbet, Pavlovich, Peck, Poulsen, Raney, Russell, Whalen.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 344 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Kadas, Whalen.

Total 2

Excused: None.

Total 0

Absent or not voting: Peterson.

Total 1

HB 645 passed as follows:

Ayes: Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Addy, Asay, Bardanouve, Bulger, Cohen, Harper, Kadas, Miles, Ream, Russell, Schye, Squires, Whalen.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 460 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz,

Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 96

Noes: Campbell, Glaser, Raney, Sales.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 482 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Nelson.
Total 1

HB 491 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: Sales.

Total 1

Excused: None.

Total 0

Absent or not voting: Menke, Poulsen.

Total 2

HB 486 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 495 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Campbell, Jones, Meyers, Swysgood.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 546 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily,

Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 96

Noes: Cohen, Driscoll, Kadas, Whalen.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 564 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Grinde.
Total 1

HB 566 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ellison.

Total 1

HB 577 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Hoffman, Sales, Sands, Swift.

Total 4

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

HB 670 passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Fritz, Giacometto, Glaser, Gould, Grady, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Smith, Spaeth, Stang, Stratford, Strizich, Switzer, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 69

Noes: Addy, Bulger, Campbell, Cobb, Cohen, Devlin, Driscoll, Ellison, Eudaily, Gilbert, Grinde, Hannah, Hanson, Jones, Kadas, Kitselman, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Roth, Sales, Simon, Swift, Swysgood, Thoft, Thomas.

Total 30

Excused: None.

Total 0

Absent or not voting: Squires.

Total 1

HB 694 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko,

DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Grady, Hannah, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Jones, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 78

Noes: Asay, Campbell, Cobb, Devlin, Ellison, Giacometto, Glaser, Gould, Grinde, Hanson, Hayne, Hoffman, Jenkins, Keller, Kitselman, Koehnke, Menke, Nelson, Patterson, Sales, Simon, Swift.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 746 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Giacometto, Gilbert, Kitselman, Nelson.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 761 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Patterson, Pavlovich, Peck, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Cohen, Giacometto, Gould, Kitselman, Nisbet, O'Connell, Peterson, Pistoria, Poulsen, Whalen.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 790 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Bulger, Daily, Peck, Poulsen, Raney.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 800 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 804 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Asay, Grinde, Hoffman, Kadas, Menahan, Nathe, Sales, Spaeth, Switzer.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 805 passed as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, Bulger, Compton, Corne', Daily, Darko, Donaldson, Driscoll, Fritz, Giacometto, Glaser, Gould, Grady, Hannah, Harp, Harrington, Hoffman, Holliday, Iverson, Jenkins, Keenan, Kennerly, Lory, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Simon, Spaeth, Stratford, Strizich, Swift, Vincent, Winslow, Mr. Speaker.

Total 53

Noes: Asay, Bachini, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, DeMars, Devlin, Ellison, Eudaily, Gilbert, Grinde, Hansen, Hanson, Harper, Hayne, Jones, Kadas, Keller, Kitselman, Koehnke, McCormick, Meyers, Moore, Nathe, Nisbet, Pavlovich, Poff, Raney, Ream, Russell, Sales, Schye, Smith, Squires, Stang, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams.

Total 46

Excused: None.

Total 0

Absent or not voting: Sands.

Total 1

HB 819 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Cohen, Giacometto, Hansen, Menahan.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 837 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Bulger, Cody, Giacometto, Kadas, Miller, Nisbet, Raney, Squires, Whalen.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 839 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 39 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Menke, Swift.

Total 2

HJR 40 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: Lory.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 745 failed to pass as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Grady, Hansen, Harp, Harper, Jenkins, Kadas, Kitselman, Lory, Menke, Moore, Nelson, Peterson, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 49

Noes: Asay, Bachini, D. Brown, Campbell, Compton, Daily, DeMars, Devlin, Giacometto, Glaser, Gould, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Keenan, Keller, Kennerly, Koehnke, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller,

Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ream, Russell, Schye, Stang, Stratford, Swysgood, Thoft, Williams.
Total 50

Excused: None.
Total 0

Absent or not voting: Whalen.
Total 1

HB 778 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Vincent, Whalen, Williams, Winslow, Mr. Speaker.
Total 82

Noes: Cody, Connelly, Daily, Hansen, Jones, Kadas, Koehnke, Manuel, Nathe, Nisbet, Peck, Smith, Swift, Thoft, Thomas, Wallin.
Total 16

Excused: None.
Total 0

Absent or not voting: Bradley, DeMars.
Total 2

HB 474 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gould, Grady, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 82

Noes: Campbell, Giacometto, Gilbert, Glaser, Grinde, Hannah, Iverson, Menke, Meyers, Nathe, Sales, Sands, Smith, Swift, Swysgood, Thoft, Thomas.
Total 17

Excused: None.
Total 0

Absent or not voting: Hansen.
Total 1

HB 165 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Driscoll in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 286 - Representative Spaeth moved that HB 286, second reading copy, be amended as follows:

1. Page 3, line 6.

Strike: "and section 3 is valid"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Bardanouve, Nathe, Pavlovich, Peterson, Stang.

Total 5

Representative Spaeth moved that HB 286, second reading copy, be further amended as follows:

1. Page 3, line 5.

Strike: "not"

Following: "approved"

Insert: ", but not"

2. Page 3, line 6.

Strike: "are void and section 3 is valid."

Insert: "shall read as follows:

Section 1. Irrigation ditches — duties relating to safety. A private person or entity owning or operating irrigation ditches must keep the irrigation ditches in good general repair and condition, but for the purpose of protecting persons and property from injury or damage has no duty to:

(1) erect fences;

(2) install grates or other protective devices where a ditch goes under a bridge or other object; or

(3) prevent access to ditches by persons or animals.

Section 2. Irrigation ditches — nonliabilities. A private person or entity owning or operating irrigation ditches is not liable for:

(1) personal injury or property damage resulting from floodwaters caused by rainfall or other weather conditions or acts of nature;

(2) personal injury or property damage occurring on another's land and caused by water seepage that existed or began before the injured person first arrived on or obtained an interest in the land or before the damaged property was first placed on the land, if the seepage does not carry toxic chemicals onto the land;

(3) injury to a person or property while, without authorization of the private person or entity, the person or property is on land or water controlled by the private person or entity, unless the private person or entity engaged in willful or wanton misconduct; or

(4) death from a drowning, unless the private person or entity was grossly negligent or engaged in willful or wanton misconduct."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Cohen, Peck.

Total 2

Excused: None.

Total 0

Absent or not voting: Bardanouve, Nathe.

Total 2

Representative Spaeth moved that HB 286, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 89

Noes: Cohen, Connelly, Driscoll, Hansen, Kadas, Miles, Raney, Squires, Stang, Whalen.

Total 10

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 366 - Representative Fritz moved that HB 366 do pass. Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Cobb, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Glaser, Hannah, Hansen, Harper, Harrington, Hoffman, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Menahan, Menke, Miles, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Simon, Spaeth, Squires, Strizich, Swysgood, Thoft, Vincent, Whalen, Williams, Winslow.

Total 53

Noes: Asay, Bachini, Brandewie, Bulger, Campbell, Cody, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Grinde, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Kitselman, Manuel, Mercer, Meyers, Nathe, Nelson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Smith, Stang, Stratford, Swift, Switzer, Thomas, Wallin, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 567 - Representative Ramirez moved that HB 567 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Hoffman, Jones, Nisbet, Sands, Smith, Whalen.

Total 6

Excused: None.

Total 0

Absent or not voting: Ellison, Pavlovich.

Total 2

HB 586 - Representative Gould moved that HB 586 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 93

Noes: Bachini, Cohen, Connelly, Hansen, Manuel, Nisbet, Williams.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 633 - Representative Menahan moved that HB 633 do not pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith,

Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 91

Noes: Campbell, Cobb, Daily, Driscoll, Fritz, Hoffman, Mercer, Pavlovich, Peterson.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 668 - Representative Vincent moved that HB 668 do pass.

Representatives Marks, Nathe, and Peck excused at this time.

Representative D. Brown made a substitute motion that HB 668 do not pass. Motion carried as follows:

Ayes: Asay, Bardanouve, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Daily, DeMars, Devlin, Ellison, Fritz, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, McCormick, Manuel, Menahan, Mercer, Meyers, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Roth, Sales, Smith, Spaeth, Squires, Stang, Swift, Switzer, Swysgood, Thoft, Whalen, Williams.
Total 61

Noes: Addy, Bachini, Bradley, Bulger, Cody, Cohen, Connelly, Corne', Darko, Donaldson, Driscoll, Eudaily, Giacometto, Gould, Hannah, Koehnke, Lory, Menke, Miles, Nathe, Nelson, Peck, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Stratford, Strizich, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.
Total 39

Paired: D. Brown, Harrington, Pavlovich, Ayes; Nathe, Peck, Mr. Speaker, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 748 - Representative Ramirez moved that HB 748 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 96

Noes: Kadas, Whalen.

Total 2

Paired: Nathe, Mr. Speaker, Ayes; Kadas, Whalen, Noes.

Excused: Peck.

Total 1

Absent or not voting: Iverson.

Total 1

Representative Marks present at this time.

HB 754 - Representative Iverson moved that the following statement of intent be attached:

Statement of Intent

HB 754

A statement of intent is provided for this bill because the legislature desires to indicate to the Montana water courts and the department of natural resources and conservation the basins that should receive priority adjudication efforts.

The legislature finds and determines the basins described in I through Ibelow to be priority basins. The basins are selected according to the criteria in section 10 of this bill and the priority provided for the Milk River basin in 85-2-321. They are listed by the department's field office areas because it is assumed priority basins are needed in each area to ensure efficient use of water court and department staff. The legislature recognizes that deviations from the order of priority provided may be necessary to ensure efficiency in the adjudication process, and that additional priority basins may be added upon petition to and determination by the water judge.

I. Basins in the Billings field office area:

Yellowstone River from Bridger Creek to the Clark's Fork of the Yellowstone River (43QJ)
Yellowstone River above and including Bridger Creek (43B)
Sweet Grass Creek (43BV)
Stillwater River (43C)
Boulder River tributary of Yellowstone River (43BJ)
Clark's Fork of the Yellowstone River (43D)
Yellowstone River between the Clark's Fork of the Yellowstone River and the Bighorn River (43Q)

II. Basins in the Bozeman field office area:

Madison River (41F)
Gallatin River (41H)
Shields River (43A)
Ruby River (41C)
Beaverhead River (41B)
Red Rock River (41A)
Big Hole River (41D)

III. Basins in the Glasgow field office area:

Rock Creek tributary of the Milk River (40N)
Frenchman Creek (40L)
Milk River below Whitewater Creek including Porcupine Creek (40O)
Beaver Creek tributary of the Milk River (40M)
Whitewater Creek (40K)
Dry Creek (40D)

Missouri River between the Musselshell River and Fort Peck Dam (40E)

IV. Basins in the Havre field office area:

Sage Creek (40G)
Milk River between Fresno Reservoir and Whitewater Creek (40J)
Peoples Creek (40I)
Willow Creek (41N)
Teton River (41O)
Sun River (41K)

V. Basins in the Helena Field office area:

Dearborn River (41U)
Clark Fork above the Blackfoot River (76G)
Boulder River tributary of the Jefferson River (41E)
Jefferson River (41G)
Missouri River above Holter Dam (41I)

VI. Basins in the Kalispell field office area:

Milk River above Fresno Reservoir (40F)
Big Sandy Creek (40H)
Yaak River (76B)
Fisher River (76C)
Kootenai River (76D)
Clark Fork below Flathead Lake (76N)
South Fork of the Flathead River (76J)
Middle Fork of the Flathead River (76I)
Swan River (76K)
Flathead River above Flathead Lake (76LJ)

VII. Basins in the Lewistown field office area:

Milk River between Fresno Reservoir and Whitewater Creek (40J)
Judith River (41S)
Musselshell River above Roundup (40A)
Musselshell River below Roundup (40C)
Flatwillow Creek including Boxelder Creek (40B)

VIII. Basins in the Miles City field office area:

Beaver Creek tributary of the Little Missouri River (39G)
Yellowstone River between the Tongue River and the Powder River (42K)
Little Missouri River above Little Beaver Creek (39F)
Rosebud Creek (42A)
Little Beaver Creek (39FJ)
Boxelder Creek (39E)
Yellowstone River below Powder River (42M)

IX. Basins in the Missoula field office area:

Rock Creek tributary of the Clark Fork River (76E)
Flint Creek (76GJ)
Clark Fork between the Blackfoot River and the Flathead River (76M)
Bitterroot River (76H)
Blackfoot River (76F)

The statement of intent was adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson,

Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Nathe, Peck.
Total 2

Absent or not voting: None.
Total 0

Representative Spaeth moved that HB 754, second reading copy, be amended as follows:

1. Title, line 11.

Following: "COURTS;"

Insert: "CLARIFYING PAYMENT OF EXPENDITURES FOR DEPARTMENT ASSISTANCE TO WATER JUDGES;"

2. Title, line 12.

Following: "3-7-221,"

Insert: "85-2-243,"

3. Title, line 13.

Following: "MCA;"

Insert: "REPEALING SECTION 85-2-242, MCA;"

4. Page 6.

Following: line 7

Insert: "Section 9. Section 85-2-243, MCA, is amended to read:

"85-2-243. Department assistance to water judges. (1) The department, subject to the direction of the water judge, shall, ~~without cost to the judicial districts wholly or partly within his water division:~~

~~(1)(a)~~ provide such information and assistance as may be required by the water judge to adjudicate claims of existing rights;

~~(2)(b)~~ establish information and assistance programs to aid claimants in the filing of claims for existing rights required by 85-2-221;

~~(3)(c)~~ conduct field investigations of claims that the water judge in consultation with the department determines warrant investigation; and

~~(4)(d)~~ provide the water judge with all information in its possession bearing upon existing rights, including all declarations filed with and all information gathered by the department with respect to existing rights in the Powder River Basin.

(2) Department assistance to a water judge must be without cost to the judicial districts wholly or partly within the affected water division. Expenses incurred by the department under subsection (1) must be paid from the money appropriated by the legislature for the expenses of the chief water judge under 3-7-222 except to the extent a specific appropriation has been made to the department to carry out its functions under subsection (1)."

Renumber: subsequent sections

5. Page 9.

Following: line 23

Insert: "NEW SECTION. Section 13. Repealer. Section 85-2-242, MCA, is repealed."

Renumber: subsequent sections

6. Page 10, line 5.

Strike: "10"

Insert: "11"

7. Page 10, line 7.

Strike: "10"

Insert: "11"

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Bachini, Cohen, Giacometto, Harp, Thomas, Whalen.

Total 6

Excused: Nathe, Peck.

Total 2

Absent or not voting: Daily, Jones, Kadas, Koehnke, Smith.

Total 5

Representative Bradley moved that HB 754, as amended, do pass.
Motion failed. (42-57)

Representative Hannah moved that HB 754, as amended, do not pass.
Representative Marks made a substitute motion that consideration of HB 754 be passed for the day. Motion carried. (63-34)

Representatives Peck and Nathe present at this time.

HB 789 - Representative Harper moved that HB 789 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Campbell, Cobb, Grady, Harp, McCormick, Pistoria, Swysgood.
Total 7

Excused: None.
Total 0

Absent or not voting: Daily, Fritz, Manuel, Pavlovich, Sales.
Total 5

HB 810 - Representative Harrington moved that HB 810 do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Mercer, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Vincent, Whalen, Williams, Winslow, Mr. Speaker.
Total 76

Noes: Asay, Brandewie, Campbell, Ellison, Giacometto, Gilbert, Grinde, Harp, Hayne, Keller, Menke, Meyers, Poff, Roth, Sales, Switzer, Swysgood, Thoft, Thomas, Wallin.
Total 20

Excused: None.
Total 0

Absent or not voting: Devlin, Manuel, Miller, Peterson.
Total 4

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Driscoll moved the adoption of the committee report. Report adopted. (99-1)

MOTIONS

Representative Sales moved that the House reconsider its action in not casting a unanimous vote for HB 491, a constitutional amendment, on third reading this day. Motion carried.

Representative Donaldson moved that HB 460, HB 694, and HB 778 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 286 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones,

Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Cohen, Kadas, Squires.

Total 3

Excused: None.

Total 0

Absent or not voting: Connelly.

Total 1

HB 366 passed as follows:

Ayes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Cobb, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Glaser, Hannah, Hansen, Harper, Harrington, Hoffman, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Menahan, Menke, Miles, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Simon, Spaeth, Squires, Strizich, Swysgood, Vincent, Whalen, Williams, Winslow.

Total 52

Noes: Asay, Bachini, Brandewie, Bulger, Campbell, Cody, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Grinde, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Kitselman, Manuel, Mercer, Meyers, Nathe, Nelson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Smith, Stang, Stratford, Swift, Switzer, Thoft, Thomas, Wallin, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 567 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cobb, Jones, Nisbet, Sands, Smith, Whalen.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 586 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 92

Noes: Bachini, Cohen, Hansen, Koehnke, Manuel, Nisbet, Williams.

Total 7

Excused: None.

Total 0

Absent or not voting: Menke.

Total 1

HB 748 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Kadas, Whalen.

Total 2

Excused: None.

Total 0

Absent or not voting: Cobb, Daily.

Total 2

HB 789 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke,

Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Campbell, Cobb, Harp, McCormick, Pistoria.

Total 5

Excused: None.

Total 0

Absent or not voting: Ellison, Hoffman.

Total 2

HB 810 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Brandewie, Campbell, Devlin, Giacometto, Gilbert, Grinde, Harp, Hayne, Menke, Meyers, Peterson, Poff, Roth, Sales, Switzer, Swysgood, Thomas, Wallin.

Total 18

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 491 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 9:15 a.m., February 25, 1987.

Motion carried.

House adjourned at 8:35 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FORTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 25, 1987

House Chambers
State Capitol

House convened at 9:15 a.m., Mr. Speaker in the Chair. Invocation by Representative Connelly. Pledge of Allegiance to the Flag.

Roll call. All members present except Rehberg and Poulsen, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forty-third legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 2/25/87
Correctly printed: HB 820.

APPROPRIATIONS (Donaldson, Chairman): 2/25/87
HB 820, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House: 2/21/87
HJR 5, introduced by Grady

MOTIONS

Representative Bradley moved that HB 754 be taken from second reading and rereferred to the Committee on Rules. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 66 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 92

Noes: Bardanouve, Cobb, Stang.
Total 3

Excused: Poulsen, Rehberg.
Total 2

Absent or not voting: Hansen, Hayne, Moore.

Total 3

HB 340 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Campbell, Daily, Glaser, Hannah, Menke, Patterson, Swift, Swysgood, Thoft, Thomas.

Total 10

Excused: Poulsen, Rehberg.

Total 2

Absent or not voting: Hansen, Harp, Moore.

Total 3

HB 623 passed as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Gould, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow.

Total 70

Noes: Asay, Bardanouve, Brandewie, Bulger, Devlin, Ellison, Giacometto, Gilbert, Grinde, Hannah, Hanson, Kadas, Kitselman, Menke, Nelson, Patterson, Ramirez, Roth, Sales, Sands, Simon, Stratford, Switzer, Thomas, Williams, Mr. Speaker.

Total 26

Excused: Poulsen, Rehberg.

Total 2

Absent or not voting: Harp, Moore.

Total 2

HB 721 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Grady, Hansen, Harper, Harrington, Holliday, Iverson, Jones, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Asay, Cobb, DeMars, Devlin, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Jenkins, Keller, Kitselman, Koehnke, Menke, Mercer, Patterson, Pistoria, Sales, Sands, Simon, Swift, Switzer, Thoft.

Total 26

Excused: Poulsen, Rehberg.

Total 2

Absent or not voting: Harp, Moore.

Total 2

HB 796 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Jenkins, Keenan, Keller, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stratford, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 69

Noes: Bardanouve, D. Brown, J. Brown, Bulger, Campbell, Connelly, Devlin, Donaldson, Fritz, Giacometto, Grady, Hanson, Holliday, Jones, Kadas, Kennerly, McCormick, Peck, Pistoria, Sales, Stang, Strizich, Swift, Switzer, Swysgood.

Total 25

Excused: Poulsen, Rehberg.

Total 2

Absent or not voting: Harp, Hayne, Moore, Simon.

Total 4

HB 815 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Poulsen, Rehberg.

Total 2

Absent or not voting: Bachini, Harp, McCormick, Meyers, Moore, Roth.

Total 6

HB 831 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Campbell, Fritz, Hannah, Peck, Peterson, Swift.
Total 6

Excused: Poulsen, Rehberg.
Total 2

Absent or not voting: Harp, Moore, Thoft.
Total 3

HB 836 failed to pass as follows:

Ayes: Bachini, Bardanouve, Brandewie, Bulger, Cobb, Cohen, Compton, Darko, DeMars, Devlin, Driscoll, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Hoffman, Jenkins, Koehnke, McCormick, Menke, Meyers, Miller, Nathe, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Sales, Strizich, Swift, Switzer, Thoft, Thomas, Whalen, Winslow, Mr. Speaker.
Total 43

Noes: Addy, Asay, Bradley, D. Brown, J. Brown, Campbell, Cody, Connelly, Corne', Daily, Donaldson, Eudaily, Fritz, Glaser, Hansen, Harper, Harrington, Hayne, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, Manuel, Menahan, Mercer, Miles, Nelson, Nisbet, Pavlovich, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swysgood, Vincent, Wallin, Williams.
Total 52

Excused: Poulsen, Rehberg.
Total 2

Absent or not voting: Ellison, Harp, Moore.
Total 3

HJR 38 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Grady, Hansen, Harper, Harrington, Hayne, Holliday, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 68

Noes: Campbell, Compton, Devlin, Donaldson, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hoffman, Iverson, Jones, Kitselman, Lory, Menke, Peterson, Phillips, Ramirez, Roth, Sales, Sands, Simon, Smith, Thomas.

Total 29

Excused: Poulsen, Rehberg.

Total 2

Absent or not voting: Moore.

Total 1

MOTIONS

Representative Wallin moved that he be allowed to change his vote on HB 836 on third reading this day from yes to no. Motion carried.

ANNOUNCEMENTS

Speaker Marks thanked this week's pages for their services and introduced them as follows:

Hayley Halen, Bozeman
Julie Hansen, Missoula
Tara Driggs, Eureka
Mickey Quilici, Butte
Margaret Hofer, Butte
Chelsea Casey, Helena
Michelle Daum, Billings
Toni Campeau, Bozeman

Representative Hannah moved that the House adjourn until 3:00 p.m., March 2, 1987.

Motion carried.

House adjourned at 9:30 a.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FORTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 2, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Peterson. Pledge of Allegiance to the Flag.

Roll call. All members present except DeMars, Fritz, Keenan, Moore, Poff, Ream, Russell, Spaeth, Strizich, and Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the forty-fourth and forty-fifth legislative days, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Donaldson, Chairman): 3/2/87
SB 227, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 2/19/87
SB 43, third reading copy, be amended as follows:

1. Page 2.

Following: line 16

Insert: "(i) possesses special fuel in bulk storage in this state on which the tax has not been paid;"

Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

SB 75, be concurred in. Report adopted.

SB 76, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman): 2/17/87
SB 31, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

February 25, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 41, 99, 159, 203, 251, 265, 280, 299, 310, 311, 312, 360, and 391 on this date.

Sincerely,

Ted Schwinden
Governor

MOTIONS

Representative Bachini moved that consideration of HB 730 on second reading be passed until the 47th legislative day. Motion carried.

Representatives Strizich and Fritz present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Daily in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 155 - Representative Bardanouve moved that HB 155 do pass. Motion carried as follows:

Ayes: Asay, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Gould, Grady, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Kadas, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Nisbet, Pavlovich, Peck, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Schye, Squires, Stang, Strizich, Thoft, Vincent, Whalen, Williams, Mr. Speaker.

Total 50

Noes: Addy, Bachini, Brandewie, Campbell, Cobb, Devlin, Ellison, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Hayne, Iverson, Jenkins, Jones, Kitselman, Koehnke, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin.

Total 42

Excused: DeMars, Keenan, Moore, Poff, Ream, Russell, Spaeth, Winslow.

Total 8

Absent or not voting: None.

Total 0

HB 193 - Representative Nathe moved that HB 193 do pass. After debate, Representative Nathe made a substitute motion that HB 193 be placed below HB 717 on the second reading board for amendment. Motion carried.

HB 583 - Representative Donaldson moved that HB 583 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Schye, Simon, Smith, Squires, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 81

Noes: Campbell, Cobb, Driscoll, Glaser, Grinde, Sales, Sands, Stang, Switzer, Swysgood.

Total 10

Excused: DeMars, Keenan, Moore, Poff, Ream, Russell, Spaeth, Winslow.

Total 8

Absent or not voting: Miller.

Total 1

HB 606 - Representative Glaser moved that HB 606 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 86

Noes: Cobb, Fritz, Jenkins, Whalen.

Total 4

Excused: DeMars, Keenan, Moore, Poff, Ream, Russell, Spaeth, Winslow.

Total 8

Absent or not voting: Miller, Nathe.

Total 2

HB 652 - Representative Peck moved that HB 652, second reading copy, be amended as follows:

1. Page 1, line 25 through line 1, page 2.

Strike: "and the legislative fiscal analyst"

2. Page 2, line 15 through line 15, page 3.

Strike: section 3 in its entirety

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen.

Total 70

Noes: Asay, Brandewie, Campbell, Driscoll, Giacometto, Grinde, Hannah, Harp, Kadas, Mercer, Meyers, Pavlovich, Ramirez, Raney, Stang, Switzer, Thomas, Williams, Mr. Speaker.

Total 19

Excused: DeMars, Keenan, Moore, Poff, Ream, Russell, Spaeth, Winslow.

Total 8

Absent or not voting: Addy, Devlin, Nathe.

Total 3

Representative Harp moved that HB 652, as amended, do pass. Representative Harp made a substitute motion that HB 652 be placed below HB 716 on the second reading board. Motion carried.

Representative Russell present at this time.

HB 666 - Representative Ramirez moved that HB 666 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 84

Noes: Cohen, Driscoll, Grinde, Harrington, Menahan, Nisbet, O'Connell, Switzer, Whalen.

Total 9

Excused: DeMars, Keenan, Moore, Poff, Ream, Spaeth, Winslow.

Total 7

Absent or not voting: None.

Total 0

HB 678 - Representative Connelly moved that HB 678 do pass. After debate, Representative Connelly made a substitute motion that consideration of HB 678 be passed for the day for amendment. Motion failed. (46-46)

Representative DeMars present at this time.

After debate, Representative Connelly moved that consideration of HB 678 be passed for the day. Motion carried. (58-35)

HB 705 - Representative Phillips moved that HB 705 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Williams, Mr. Speaker.

Total 82

Noes: Bachini, Cohen, Driscoll, Harper, Kadas, Meyers, Peck, Wallin, Whalen.

Total 9

Excused: Keenan, Moore, Poff, Ream, Spaeth, Winslow.

Total 6

Absent or not voting: D. Brown, Hoffman, Pistoria.

Total 3

HB 716 - Representative J. Brown moved that HB 716 do pass. Representative Kitselman made a substitute motion that HB 716 be placed below HB 193 on the second reading board for amendment. Motion carried.

HB 652 - Representative Hannah moved that HB 652, second reading copy, be further amended as follows:

1. Page 1, line 25 through line 1, page 2.

Reinsert: "and the legislative fiscal analyst" (stricken by Peck amendment)

2. Page 2, line 15 through line 15, page 3.

Reinsert: section 3 in its entirety (stricken by Peck amendment)

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Asay, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Darko, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Kitselman, Menke, Mercer, Meyers, Nelson, Patterson, Peterson, Phillips, Pistoria, Ramirez, Raney, Rehberg, Roth, Sales, Simon, Smith, Stratford, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Mr. Speaker.

Total 52

Noes: Bachini, Bradley, D. Brown, Cobb, Cohen, Corne', Daily, DeMars, Donaldson, Driscoll, Gould, Hansen, Harper, Harrington, Jenkins, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Miles, Miller, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Poulsen, Quilici, Rapp-Svrcek, Russell, Sands, Schye, Squires, Stang, Strizich, Swysgood, Vincent, Whalen.

Total 40

Excused: Keenan, Moore, Poff, Ream, Spaeth, Winslow.

Total 6

Absent or not voting: Bardanouve, Menahan.

Total 2

Representative Harp moved that HB 652, as amended, do pass. Motion failed. (16-76)

Representative Hannah moved that HB 652, as amended, do not pass. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Mr. Speaker.

Total 77

Noes: Addy, Bardanouve, Cohen, Gilbert, Hannah, Harper, Holliday, Kadas, Miles, Quilici, Ramirez, Schye, Strizich, Vincent, Williams.

Total 15

Excused: Keenan, Moore, Poff, Ream, Spaeth, Winslow.

Total 6

Absent or not voting: Campbell, Connelly.

Total 2

HB 717 - Representative J. Brown moved that HB 717 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 90

Noes: Asay, McCormick, Menke.

Total 3

Excused: Keenan, Moore, Poff, Ream, Spaeth, Winslow.

Total 6

Absent or not voting: Mr. Speaker.

Total 1

HB 193 - The reading clerk read the Addy amendment to HB 193. Representative Nathe moved that consideration of HB 193 be passed for the day. Motion carried.

HB 716 - Representative Kitselman moved that HB 716, second reading copy, be amended. Amendment failed. (24-69)

Representative J. Brown moved that HB 716 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Gould, Grady, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Jenkins, Kadas, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Vincent, Whalen, Williams.

Total 64

Noes: Campbell, Cobb, Compton, Devlin, Giacometto, Gilbert, Grinde, Hannah, Hansen, Hayne, Jones, Kitselman, Koehnke, Menke, Meyers, Nathe, Peterson, Phillips, Quilici, Sales, Simon, Smith, Swift, Swysgood, Thomas, Wallin, Mr. Speaker.

Total 27

Excused: Keenan, Moore, Poff, Ream, Spaeth, Winslow.

Total 6

Absent or not voting: Ellison, Iverson, O'Connell.

Total 3

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the

Chair. Chairman Daily moved the adoption of the committee report. Representative Mercer made a substitute motion that HB 155 be segregated from the committee of the whole report and, as amended, the report be adopted. Motion carried. (75-17)

MOTIONS

Representative Donaldson moved that HB 716 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Connelly moved that HB 678 be taken from second reading and rereferred to the Committee on Taxation. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:00 p.m., March 3, 1987.

Motion carried.

House adjourned at 5:28 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FORTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 3, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Addy. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley, Cohen, and Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forty-sixth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/3/87
Correctly engrossed: HB 583, HB 606, HB 666, HB 705, HB 717.

APPROPRIATIONS (Donaldson, Chairman): 3/3/87
SB 253, be concurred in. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman): 3/3/87
SB 2, be concurred in. Report adopted.
SB 16, be concurred in. Report adopted.
SB 78, be concurred in. Report adopted.
SB 84, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman): 3/3/87
SB 11, be concurred in. Report adopted.
SB 229, be concurred in. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 3/3/87
SB 21, be concurred in. Report adopted.
SJR 3, be concurred in. Report adopted.

TAXATION (Ramirez, Chairman): 3/3/87
SB 26, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 2/25/87

HB 374, introduced by Pavlovich

MOTIONS

Representative Bachini moved that HB 730 be taken from second reading and rereferred to the Committee on Taxation for amendment. Motion carried.

Representative Mercer moved that HB 155 be taken from second reading and rereferred to the Committee on Taxation. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 193 - Representative Addy moved that HB 193, second reading copy, be amended as follows:

1. Page 2, line 4.

Following: "FOR"

Insert: "giving"

Strike: "6-mill levy"

Insert: "legislature authority to levy up to 6 mills"

2. Page 2, line 7.

Following: "AGAINST"

Insert: "giving"

Strike: "6-mill levy"

Insert: "legislature authority to levy up to 6 mills"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Bradley, Cohen, Moore.

Total 3

Absent or not voting: Ramirez.

Total 1

Representative Bradley present at this time.

Representative Nathe moved that HB 193, second reading copy, be further amended as follows:

1. Title, lines 5 and 6.

Strike: "PUBLIC" through "SUPERVISION"

Insert: "THE MONTANA UNIVERSITY SYSTEM"

2. Page 1, lines 21 and 22.

Strike: "and" through "supervision"

3. Page 2, lines 4 through 6.

Strike: "public" through "regents"

Insert: "the Montana university system"

4. Page 2, lines 7 through 9.

Strike: "public" through "regents"

Insert: "the Montana university system"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Cohen, Moore.

Total 2

Absent or not voting: Ramirez.

Total 1

Representative Nathe moved that consideration of HB 193, as amended, be passed for the day. Motion carried.

HB 820 - Representative Fritz moved that HB 820 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cohen, Moore.

Total 2

Absent or not voting: Ramirez, Squires.

Total 2

SB 31 - Representative Daily moved that SB 31 be placed below SB 285 on the second reading board for amendment. Motion carried.

SB 32 - Representative J. Brown moved that SB 32 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson,

Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: Kadas.
Total 1

Excused: Cohen, Moore.
Total 2

Absent or not voting: None.
Total 0

SB 75 - Representative Glaser moved that SB 75 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 88

Noes: Asay, Bardanoue, Connelly, Hannah, Mercer, Nathe, Peterson, Poulsen, Raney.
Total 9

Excused: Cohen, Moore.
Total 2

Absent or not voting: Daily.
Total 1

SB 76 - Representative Campbell moved that SB 76 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanoue, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 96

Noes: Peck.

Total 1

Excused: Cohen, Moore.

Total 2

Absent or not voting: Quilici.

Total 1

SB 122 - Representative Williams moved that SB 122 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanoue, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Campbell, Devlin, Giacometto, Grinde, Hannah, Jones, Menke, Pavlovich, Peterson, Roth, Simon.

Total 11

Excused: Cohen, Moore.

Total 2

Absent or not voting: Harper.

Total 1

SB 227 - Representative Quilici moved that SB 227 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanoue, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Cobb, Peck, Peterson, Swift.

Total 4

Excused: Cohen, Moore.

Total 2

Absent or not voting: Ellison, Harper, Nathe.

Total 3

SB 285 - Representative Pavlovich moved that SB 285 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Raney, Rapp-Svrcek.

Total 2

Excused: Cohen, Moore.

Total 2

Absent or not voting: Squires.

Total 1

SB 31 - Representative Daily moved that SB 31, third reading copy, be amended. Amendment failed. (17-81)

Representative Cohen present at this time.

Representative Gilbert moved that SB 31 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Asay, Cody, Connelly, Daily, Eudaily, Meyers, Nathe, Pavlovich, Phillips.

Total 9

Excused: Moore.

Total 1

Absent or not voting: Peterson.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Swysgood moved the adoption of the committee report. Report adopted. (98-1)

MOTIONS

Representative Donaldson moved that SB 122 which just passed second reading, be rereferred to the Committee on Appropriations. Motion carried.

Representative Nathe moved that consideration of HB 193 on second reading be postponed until the 60th legislative day, because the bill deals with the 6-mill University levy. Motion failed. (45-52)

Representative Addy moved that Bradley be added as a sponsor to HB 787. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 851, introduced by Harp, Lybeck, B. Brown, C. Smith, Jones, Connelly, Brandewie, Cohen, Nelson. Referred to Committee on Taxation.

HB 852, introduced by Nathe, (By Request of the House Appropriations Committee). Referred to Committee on Appropriations.

HB 853, introduced by Vincent. Referred to Committee on Business and Labor.

HB 854, introduced by Vincent. Referred to Committee on Business and Labor.

HB 855, introduced by Vincent. Referred to Committee on Business and Labor.

HB 856, introduced by Vincent. Referred to Committee on Business and Labor.

HB 857, introduced by Raney, Addy. Referred to Committee on Taxation.

HB 858, introduced by Cohen, McCallum, Swift, C. Smith, Vincent, Rapp-Svrcek. Referred to Committee on Taxation.

The following Senate bills were introduced, read first time, and referred to committees:

SB 36, introduced by E. Smith. Referred to Committee on Taxation.

SB 52, introduced by B. Brown. Referred to Committee on Business and Labor.

SB 175, introduced by Halligan. Referred to Committee on Appropriations.

SB 183, introduced by Regan. Referred to Committee on Taxation.

SB 184, introduced by Tveit. Referred to Committee on Natural Resources.

SB 198, introduced by Thayer. Referred to Committee on Business and Labor.

SB 205, introduced by Halligan. Referred to Committee on Business and Labor.

SB 210, introduced by Keating. Referred to Committee on Business and Labor.

SB 216, introduced by Jacobson. Referred to Committee on Appropriations.

SB 222, introduced by Farrell. Referred to Committee on Business and Labor.

SB 223, introduced by Eck. Referred to Committee on Judiciary.

SB 272, introduced by Lynch. Referred to Committee on Taxation.

SB 286, introduced by Galt. Referred to Committee on Judiciary.

SB 291, introduced by Keating. Referred to Committee on Business and Labor.

SB 292, introduced by Keating. Referred to Committee on Natural Resources.

SB 302, introduced by Jergeson. Referred to Committee on Education and Cultural Resources.

- SB 315**, introduced by B. Williams. Referred to Committee on Business and Labor.
- SB 327**, introduced by Yellowtail. Referred to Committee on Agriculture.
- SB 328**, introduced by Mazurek. Referred to Committee on Business and Labor.
- SB 329**, introduced by Blaylock. Referred to Committee on Natural Resources.
- SB 335**, introduced by Mazurek. Referred to Committee on Taxation.
- SB 338**, introduced by Boylan. Referred to Committee on Judiciary.
- SB 341**, introduced by Keating. Referred to Committee on Business and Labor.
- SB 344**, introduced by B. Brown. Referred to Committee on Education and Cultural Resources.
- SB 353**, introduced by Meyer. Referred to Committee on Human Services.
- SB 357**, introduced by Haffey. Referred to Committee on State Administration.
- SB 359**, introduced by Haffey. Referred to Committee on Business and Labor.
- SB 360**, introduced by Bishop. Referred to Committee on Business and Labor.
- SB 361**, introduced by Halligan. Referred to Committee on Judiciary.
- SB 362**, introduced by Jacobson. Referred to Committee on Appropriations.
- SB 363**, introduced by Jacobson. Referred to Committee on Judiciary.
- SB 364**, introduced by Manning. Referred to Committee on Business and Labor.
- SB 365**, introduced by Mazurek. Referred to Committee on State Administration.
- SB 368**, introduced by Story. Referred to Committee on Local Government.
- SB 369**, introduced by Tveit. Referred to Committee on Highways and Transportation.
- SB 370**, introduced by Jacobson. Referred to Committee on Education and Cultural Resources.
- SB 371**, introduced by Regan. Referred to Committee on Human Services.
- SB 372**, introduced by Pinsoneault. Referred to Committee on Judiciary.
- SB 373**, introduced by Blaylock. Referred to Committee on Natural Resources.
- SB 375**, introduced by Bishop. Referred to Committee on Judiciary.
- SB 376**, introduced by Jergeson. Referred to Committee on State Administration.
- SB 378**, introduced by E. Smith. Referred to Committee on Taxation.
- SB 379**, introduced by Yellowtail. Referred to Committee on Agriculture.
- SB 380**, introduced by Pinsoneault. Referred to Committee on Judiciary.
- SB 382**, introduced by Jergeson. Referred to Committee on Local Government.
- SB 385**, introduced by Weeding. Referred to Committee on Business and Labor.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 583 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Spaeth, Squires, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Campbell, Cobb, Glaser, Grinde, Sales, Sands, Stang, Switzer, Swysgood.
Total 9

Excused: Moore.
Total 1

Absent or not voting: Smith.
Total 1

HB 606 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 95

Noes: Cobb, Cohen, Fritz, Whalen.
Total 4

Excused: Moore.
Total 1

Absent or not voting: None.
Total 0

HB 666 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford,

Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow,
Mr. Speaker.

Total 92

Noes: Cohen, Driscoll, Grinde, Squires, Switzer, Whalen.

Total 6

Excused: Moore.

Total 1

Absent or not voting: Thoft.

Total 1

HB 705 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Cohen, Driscoll, Fritz, Hansen, Harper, Kadas, Meyers, Peck, Peterson, Ream, Whalen.

Total 11

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 717 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Harp.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 2:30 p.m., March 4, 1987.

Motion carried.

House adjourned at 4:15 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FORTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 4, 1987

House Chambers
State Capitol

House convened at 2:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Sands. Pledge of Allegiance to the Flag.

Roll call. All members present except Jenkins and Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forty-seventh legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/4/87
Correctly engrossed: HB 820, SB 31, SB 32, SB 75, SB 76, SB 227, SB 285.

Correctly enrolled: HJR 5.

Examined by the sponsor and found to be correct:

HJR 5 - Grady

Signed by the Speaker at 4:00 p.m.: HJR 5.

APPROPRIATIONS (Donaldson, Chairman): 3/4/87

HB 29, do pass. Report adopted.

HB 316, do pass. Report adopted.

HB 523, do pass. Report adopted. 3/3/87

BUSINESS AND LABOR (Kitselman, Chairman): 3/4/87

SB 73, third reading copy, be amended as follows:

1. Page 4, line 23 through page 5, line 2.

Following: "~~department.~~" on page 4, line 23

Strike: remainder of line 23, lines 24 and 25 on page 4, and line 1, page 5, in their entirety, and "fuel" on line 2, page 5

Insert: "Affidavit required of cardtroll or keylock purchaser — inspection by department.

(1) A person who uses a cardtroll, keylock, or similar device to obtain delivery of special fuel tax free from an unattended pump or dispensing unit shall sign and furnish to the special fuel dealer an affidavit, on a form prescribed and furnished by the department, stating the type of equipment in which the special fuel will be placed and stating that no special fuel will be placed into the supply tank of a motor vehicle to be operated on the public roads and highways of this state.

(2) The special fuel dealer shall keep all such affidavits and make them available for inspection by the department"

And, as amended, be concurred in. Report adopted.

SB 80, be concurred in. Report adopted.

SB 83, be concurred in. Report adopted.

SB 97, be concurred in. Report adopted.

SB 98, be concurred in. Report adopted.

SB 140, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman): 3/4/87

SB 174, be concurred in. Report adopted.

SB 235, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman):

3/4/87

SB 57, be concurred in. Report adopted.

SB 256, be concurred in. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

3/4/87

SB 125, be concurred in. Report adopted.

SB 204, be concurred in. Report adopted.

SB 255, be concurred in. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

3/4/87

SB 72, be concurred in. Report adopted.

SB 93, be concurred in. Report adopted.

SB 153, be concurred in. Report adopted.

SB 165, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 7, introduced by Thoft, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Appropriations.

HB 859, introduced by Mercer, Fritz, Cobb, Devlin, Switzer, Thomas. Referred to Committee on Taxation.

HB 860, introduced by Bachini, Kolstad, Jenkins, Jergeson, Compton, E. Smith, Iverson, Poff, Schye, Hammond, Peck, Manuel. Referred to Committee on Appropriations.

MOTIONS

Representative Peck moved that consideration of SB 253 on second reading be postponed until the 60th legislative day. Motion carried.

Representative Nathe moved that HB 603 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Hannah moved that the House stand in recess until 3:15 p.m. for party caucuses. Motion carried.

House recessed at 2:38 p.m.

House reconvened at 3:45 p.m.

Mr. Speaker in the Chair.

Representatives Bardanouve and Rapp-Svrcek excused at this time.

Representative Mercer moved that the rules be suspended to allow the late drafting and introduction of a bill to provide for a special election. Motion failed. (48-51)

Representative Hannah moved that the rules be suspended to allow the late drafting and introduction of a bill revising the homicide laws. Motion carried.

Representative Cohen moved that Stang, Jones, Ream, Brandewie, Harp, Thomas, Connelly, Meyers, and Peterson be added as sponsors to HB 858. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 193 - Representative Nathe moved that HB 193 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Campbell, Gilbert, Glaser, Hannah, Sales, Switzer.

Total 6

Paired: Bardanouve, Aye; Hannah, No.

Excused: Jenkins, Moore, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

SB 2 - Representative Bachini moved that SB 2 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Meyers, Patterson.

Total 2

Excused: Bardanouve, Jenkins, Moore, Rapp-Svrcek.

Total 4

Absent or not voting: None.

Total 0

SB 16 - Representative Hansen moved that SB 16 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 79

Noes: Campbell, Cobb, DeMars, Devlin, Ellison, Giacometto, Grinde, Hanson, Hayne, Hoffman, Nathe, Peterson, Poulsen, Stratford, Switzer, Swysgood, Mr. Speaker.

Total 17

Excused: Bardanouve, Jenkins, Moore, Rapp-Svrcek.

Total 4

Absent or not voting: None.

Total 0

SB 21 - Representative Spaeth moved that SB 21 be concurred in.
Motion failed. (46-48)

Representative Hannah moved that SB 21 be not concurred in. Representative Spaeth made a substitute motion that consideration of SB 21 be passed for the day. Motion carried. (83-10)

SB 43 - Representative Swysgood moved that SB 43 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Bardanouve, Jenkins, Moore, Rapp-Svrcek.

Total 4

Absent or not voting: None.

Total 0

SB 78 - Representative Pavlovich moved that SB 78 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko,

DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Asay, Hannah.

Total 2

Excused: Bardanouve, Jenkins, Moore, Rapp-Svrcek.

Total 4

Absent or not voting: None.

Total 0

SB 84 - Representative Bachini moved that SB 84 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Asay, Bulger, Devlin, Ellison, Giacometto, Grinde, Hannah, Harp, Hayne, Keller, Meyers, Swift.

Total 12

Excused: Bardanouve, Jenkins, Moore, Rapp-Svrcek.

Total 4

Absent or not voting: Menke, Sales, Thoft.

Total 3

SJR 3 - Representative Sales moved that SJR 3 be concurred in. Motion carried as follows:

Ayes: Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Addy, Asay, Ellison, Giacometto, Lory, Meyers, Poulsen, Raney, Ream, Schye.

Total 10

Excused: Bardanouve, Jenkins, Moore, Rapp-Svrcek.

Total 4

Absent or not voting: Kadas.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (93-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 820 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Bardanouve, Jenkins, Moore, Rapp-Svrcek.

Total 4

Absent or not voting: None.

Total 0

SB 31 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Cody, Connelly, Daily, Meyers, Nathe, Pavlovich, Phillips.

Total 7

Paired: Rapp-Svrcek, Aye; Daily, No.

Excused: Bardanouve, Jenkins, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 32 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Bardanouve, Jenkins, Moore, Rapp-Svrcek.

Total 4

Absent or not voting: None.

Total 0

SB 75 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cohen, Hannah, Peterson.

Total 3

Excused: Bardanouve, Jenkins, Moore, Rapp-Svrcek.

Total 4

Absent or not voting: None.

Total 0

SB 76 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz,

Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Giacometto, Peck.

Total 2

Excused: Bardanouve, Jenkins, Moore, Rapp-Svrcek.

Total 4

Absent or not voting: None.

Total 0

SB 227 concurred in as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Asay, Meyers, Nathe, Peck, Peterson, Swift.

Total 6

Excused: Bardanouve, Jenkins, Moore, Rapp-Svrcek.

Total 4

Absent or not voting: None.

Total 0

SB 285 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Nisbet, Raney.

Total 2

Excused: Bardanouve, Jenkins, Moore, Rapp-Svrcek.

Total 4

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 2:30 p.m.,
March 5, 1987.

Motion carried.

House adjourned at 5:00 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FORTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 5, 1987

House Chambers
State Capitol

House convened at 2:30 p.m., Mr. Speaker in the Chair. Invocation by Father Loren Foot. Pledge of Allegiance to the Flag.

Roll call. All members present except Bardanouve, Bradley, Cohen, Meyers, Moore, and Ramirez, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forty-eighth legislative day, find the same to be correct.

Hayne, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker of the House has made the following appointments: 3/5/87

Legislative Consumer Committee

Representative Joe Quilici

Representative Earl Lory

Legislative Council

Representative Ralph Eudaily

Representative Rex Manuel

Representative Bob Marks

Representative John Vincent

Environmental Quality Council

Representative Bob Gilbert

Representative Hal Harper

Representative Jerry Driscoll

Representative Tom Hannah

Tad Dale

Tom Ray

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/5/87

Correctly printed: HB 29, HB 316, HB 523.

Correctly engrossed: HB 193, SB 2, SB 16, SB 43, SB 78, SB 84, SJR 3.

BUSINESS AND LABOR (Kitselman, Chairman):

3/5/87

SB 130, third reading copy, be amended as follows:

1. Page 2, line 10.

Strike: "AND"

2. Page 2, line 11.

Following: "and"

Strike: "."

3. Page 2, line 13.

Following: "interest."

Insert: ";

(f) the arlington million; and

(g) the Marlboro cup."

And, as amended, be concurred in. Report adopted.

SB 182, be concurred in. Report adopted.

SB 242, be concurred in. Report adopted.

SB 245, third reading copy, be amended as follows:

1. Title, line 6.

Strike: "REQUIRE THAT"

Insert: "ALLOW THE"

2. Title, line 8.

Following: "AGREEMENTS"

Insert: "TO"

3. Title, line 9.

Strike: "RATHER THAN"

Insert: "OR"

4. Page 5, line 1.

Following: "cycle"

Insert: "or the buyer's balance from time to time"

5. Page 7, line 8.

Following: "buyer"

Strike: "The"

Insert: "(a) Except as provided in subsection (2)(b), the"

6. Page 7.

Following: line 14

Insert: "(b) Nothing in this section prevents a retail seller and a buyer from agreeing to the computation of the finance charge by using the ending balance of the account as of the last day of the billing cycle period less the amount of purchases charged to the account during that billing cycle."

And, as amended, be concurred in. Report adopted.

FISH AND GAME (Ellison, Chairman):

3/5/87

SB 171, be concurred in. Report adopted.

SB 172, be concurred in. Report adopted.

SB 243, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman):

3/5/87

SB 6, third reading copy, be amended as follows:

1. Page 1, line 10 through line 22, page 2.

Strike: section 1 in its entirety

Insert: "Section 1. When organ donation may be requested. (1) When, based on generally accepted medical standards, a hospital patient is a suitable candidate for organ or tissue donation and has not made an anatomical gift as provided in this part, the hospital administrator or his designated representative shall request the person authorized in 72-17-201 to donate all or any part of the decedent's body as an anatomical gift. Requests shall be made in order of priority stated in 72-17-201 when persons in prior classes are not available at the time of death.

(2) Donation of all or part of the decedent's body may not be requested:

(a) if the hospital administrator or his designated representative:

(i) has actual notice of opposition to the gift by the decedent or a person in the class authorized to make a gift under 72-17-201; or

(ii) has reason to believe that an anatomical gift is contrary to the decedent's religious beliefs; or

(b) if there are medical or emotional conditions under which the request would contribute to severe emotional distress.

(3) When a request is made pursuant to this section, the request and its disposition must be noted in the patient's medical record and documented as provided in 72-17-204(3)."

And, as amended, be concurred in. Report adopted.

SB 17, be concurred in. Report adopted.

SB 18, third reading copy, be amended as follows:

1. Page 1, line 25.

Strike: "judicial district encompasses a county with"

Insert: "child whose care under review is"

2. Page 2, lines 1 and 2.

Strike: "population" on line 1 through "census" on line 2

3. Page 2, line 4.

Following: "matters"

Insert: "who is appointed effective only for and during that review"

And, as amended, be concurred in. Report adopted.

SB 105, be concurred in. Report adopted.

SB 120, be concurred in. Report adopted.

SJR 1, third reading copy, be amended as follows:

1. Page 3, line 10.

Following: "Delegation"

Insert: ", to the Secretary of the United States Department of the Interior,"

And, as amended, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman):

3/5/87

SB 88, be concurred in. Report adopted.

SB 112, be concurred in. Report adopted.

SB 144, third reading copy, be amended as follows:

1. Title, lines 7 and 8.

Strike: "REMOVING" on line 7 through "CURED" on line 8

Insert: "CHANGING WHAT MUST BE CERTIFIED BEFORE A PETITION MAY BE FILED"

2. Page 2, lines 9 through 11.

Strike: "the defendant" on line 9 through "The" on line 11

Insert: ":

(a) the defendant no longer suffers from a mental disease or defect;

(b) the defendant's mental disease or defect no longer renders him unable to appreciate the criminality of his conduct or to conform his conduct to the requirements of law; or

(c) the defendant suffers from a mental disease or defect that makes him a danger to himself or others, but either there is no treatment available for his mental disease or defect or he refuses to cooperate with treatment.

(4) The"

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

3/4/87

SB 180, third reading copy, be amended as follows:

1. Page 2, line 2.

Following: "INSTRUMENT"

Insert: "of transfer"

Strike: "THAT"

Insert: "which, if recorded, would otherwise satisfy the requirements of this subsection. The reference or document must"

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

3/5/87

SB 123, be concurred in. Report adopted.

SB 124, be concurred in. Report adopted.

SB 161, be concurred in. Report adopted.

SB 264, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Joint Resolution No. 6
Report No. 2, March 4, 1987

Mr. Speaker:

We, your Free Conference Committee on Senate Joint Resolution No. 6 met and considered:

Senate Joint Resolution No. 6, reference copy.

We recommend as follows:

That Senate Joint Resolution No. 6, reference copy, be amended as follows:

1. Page 23, line 20.

Strike: "64 68"

Insert: "75 78"

2. Page 36, line 19.

Strike: "57TH"

Insert: "58th"

3. Page 36, line 21.

Strike: "57TH"

Insert: "58th"

And that this Free Conference Committee report be adopted.

For the Senate:

For the House:

McCallum, Chairman

Hannah

Van Valkenburg

Iverson

Farrell

Vincent

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/4/87

HB 92, introduced by Gilbert

HB 133, introduced by Williams

HB 257, introduced by Brandewie

- HB 269**, introduced by Jones
- HB 297**, introduced by Kadas
- HB 332**, introduced by J. Brown
- HB 334**, introduced by Keenan
- HB 386**, introduced by Cody

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 3/4/87

- HB 254**, introduced by Thomas

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 861**, introduced by Nathe, Halligan, Stimatz, Menahan, Raney, Walker, Manning, Lybeck, Weeding, Anderson, Peck, Gould, Yellowtail, McCormick, Koehnke, E. Smith, DeMars, Quilici, Pavlovich, Bachini, Connelly, Driscoll, Harrington, D. Brown, Lory, Van Valkenburg, Jacobson, Mazurek, Addy, Ream, Squires, Vincent, Daily, O'Connell, Pistoria, Haffey, Russell, Strizich, B. Brown, Eck, Meyer, Fritz, Keenan, Cody, Whalen, Iverson, Nisbet, Darko, Poff, Rapp-Svrcek, Phillips, C. Smith, Spaeth, Jergeson, Blaylock, Schye, Cohen, Jones, Stang, Corne', Pinsoneault, Lynch. Referred to Committee on Business and Labor.
- HB 862**, introduced by Winslow, Vincent, Campbell, Cobb, Bradley, Hannah, Ramirez, Mercer, Marks, Harp, Fritz, D. Brown, Miller, Brandewie, Iverson. Referred to Committee on Business and Labor.
- HB 863**, introduced by Wallin, Brandewie, Keller, Simon, Hansen, Hayne, Peck, Harp, Thomas, Bachini, Ellison, Winslow, Peterson, Compton, Hoffman, Kadas, Hannah, Kitselman, Eudaily, Giacometto, Menke, Mercer, Switzer, Nelson, Nathe, Rehberg, Hanson, Donaldson, Corne', Cobb, Thoft, Lory, Fritz, Ream, Harper, Meyers. Referred to Committee on Business and Labor.

MOTIONS

Representative Lory moved that SB 229 be taken from second reading and rereferred to the Committee on Judiciary. Motion carried.

Representative Hannah moved that the House stand in recess until 3:00 p.m. for party caucuses. Motion carried.

House recessed at 2:45 p.m.

House reconvened at 3:20 p.m.

Mr. Speaker in the Chair.

Representatives Meyers and Ramirez present at this time.

SPECIAL ORDERS OF THE DAY

Speaker Marks asked Representatives Harper and Rehberg to escort to the rostrum Dr. Chikara Higashi. The Speaker gave the following introduction:

Dr. Chikara Higashi has been a member of the Japanese Diet since 1983. Prior to his election, he served with high distinction as a senior official in

Japan's all powerful Ministry of Finance. Due to his international experiences and excellent careers, he is respected as one of the most promising political leaders in Japan.

Dr. Higashi received his Doctor of Business Administration from George Washington University, where he majored in international business. In recent years, Dr. Higashi has emerged as one of Japan's foremost authorities on American affairs.

Dr. Higashi addressed the assembly, emphasizing that the United States and Japan are the two greatest economic powers in the world.

The Japanese people feel that Montana's Mike Mansfield is the greatest ambassador to Japan the United States has ever had. He preaches understanding and cooperation.

Dr. Higashi feels the U.S. and Japan need to find the common cause, because the alternative is tearing each other apart economically.

His mission here in Montana is to promote those common causes. Montana's resources — its grain, ore, beef, lamb, wood products, and ideas are important to Japan's economy. Conversely, Montana is short of capital, and Japan has much. Montana needs to expand its markets for grain and meat; Japan is in an excellent position to help them expand their markets in Korea, Taiwan, and other Asian countries.

Dr. Higashi is also encouraging greater cultural exchanges between the two countries, from Friendship Force and students to sports and music.

Montana tourism, perhaps its greatest growth industry, is in its infancy. Part of Higashi's tour of Montana includes visits to Big Sky, Whitefish, and other tourist areas. The Japanese are interested in helping Montana develop its tourist industry.

Dr. Higashi stressed the importance of establishing a Montana office in Japan to coordinate and promote these activities. He stressed the importance of free trade rather than protectionist attitudes. In closing, he pledged great efforts by Japan to promote Montana products.

Representatives Harper and Rehberg escorted Dr. Higashi from the chamber.

MOTIONS

Representatives Cohen and Bradley present at this time.

Representative Spaeth moved that consideration of SB 21 on second reading be postponed until the 52nd legislative day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harp in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 252 - Representative D. Brown moved that HB 252, second reading copy, be amended as follows:

1. Title, line 5.
Following: "RATES,"

Insert: "IMPOSING IN 1991 A SLIDING SCALE RATE SCHEDULE FOR SURFACE-MINED SUBBITUMINOUS COAL BASED ON THE AMOUNT OF COAL PURCHASED;"

2. Page 7, line 16.

Strike: "A"

Insert: "Except as provided in [section 4], a"

3. Page 9.

Following: line 13

Insert: "NEW SECTION. Section 4. Incentive tax rate to coal producer based on tonnage purchased by purchasers. After June 30, 1991, a severance tax is imposed on each ton of subbituminous coal produced and sold to purchasers in accordance with the following schedule:

(1) 15.0% of value for all subbituminous coal sold to a purchaser who purchases less than 3 million tons of subbituminous coal from all Montana producers during a fiscal year;

(2) 14.5% of value for all subbituminous coal sold to a purchaser who purchases 3 million tons of subbituminous coal or more but less than 6 million tons of subbituminous coal from all Montana producers during a fiscal year;

(3) 14.0% of value for all subbituminous coal sold to a purchaser who purchases 6 million tons of subbituminous coal or more but less than 8 million tons of subbituminous coal from all Montana producers during a fiscal year;

(4) 13.5% of value for all subbituminous coal sold to a purchaser who purchases 8 million tons of subbituminous coal but less than 10 million tons of subbituminous coal from all Montana producers during a fiscal year;

(5) 13.0% of value for all subbituminous coal sold to a purchaser who purchases more than 10 million tons of subbituminous coal from all Montana producers during a fiscal year."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Cobb, Cody, Hansen, Kadas, Mercer, Peck, Pistoria.

Total 7

Excused: Bardanouve, Moore.

Total 2

Absent or not voting: Russell.

Total 1

Representative Asay moved that HB 252, second reading copy, be further amended as follows:

1. Page 8, line 14.

Strike: "15%"

Insert: "5%"

2. Page 8.

Following: line 14

Insert: "After July 1, 1988, the tax rate is 10% of value. After July 1, 1989, the tax rate is 15% of value."

Amendment passed as follows:

Ayes: Asay, Bachini, Brandewie, Campbell, Cobb, Compton, Daily, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 60

Noes: Addy, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Darko, DeMars, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, Manuel, Miles, Moore, Nisbet, O'Connell, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Spaeth, Squires, Stang, Vincent, Whalen, Williams.

Total 37

Paired: Ramirez, Aye; Moore, No.

Excused: Bardanouve.

Total 1

Absent or not voting: Fritz, Strizich.

Total 2

Representative Donaldson excused at this time.

Representative Hanson moved that HB 252, as amended, do pass.
Motion carried as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Daily, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 66

Noes: Addy, Bardanouve, Bradley, Bulger, Cody, Cohen, Connelly, Corne', Darko, DeMars, Fritz, Gould, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Miles, Moore, Nisbet, Peck, Pistoria, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 34

Paired: Donaldson, Hannah, Rehberg, Simon, Ayes; Bardanouve, Bulger, Moore, Ream, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Donaldson present at this time.

SB 11 - Representative Addy moved that SB 11 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bardanouve, Moore.

Total 2

Absent or not voting: Eudaily, Gould, Harp, Pavlovich.

Total 4

SB 26 - Representative Addy moved that SB 26 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Glaser, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 81

Noes: Campbell, Cobb, Cody, Cohen, Driscoll, Gilbert, Gould, Grinde, Hannah, Nisbet, Pavlovich, Peck, Poulsen, Raney, Stang, Whalen.

Total 16

Excused: Bardanouve, Moore.

Total 2

Absent or not voting: Mr. Speaker.

Total 1

SB 72 - Representative Sales moved that SB 72 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 93

Noes: Cobb, Hansen, Kadas, Stang.

Total 4

Excused: Bardanouve, Moore.

Total 2

Absent or not voting: Mr. Speaker.

Total 1

SB 93 - Representative O'Connell moved that SB 93 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: DeMars.

Total 1

Excused: Bardanouve, Moore.

Total 2

Absent or not voting: None.

Total 0

SB 153 - Representative O'Connell moved that SB 153 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith,

Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Bardanouve, Moore.
Total 2

Absent or not voting: None.
Total 0

SB 165 - Representative Cody moved that SB 165 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Bardanouve, Moore.
Total 2

Absent or not voting: Poulsen.
Total 1

HB 68 - Representative Kitselman moved that Senate amendments and statement of intent to HB 68 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 93

Noes: Cohen, Whalen.
Total 2

Excused: Bardanouve, Moore.
Total 2

Absent or not voting: D. Brown, Meyers, Poulsen.

Total 3

HB 88 - Representative Manuel moved that Senate amendments to HB 88 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Bardanouve, Moore.

Total 2

Absent or not voting: Poulsen.

Total 1

HB 126 - Representative Harper moved that Senate amendments to HB 126 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Hansen, Sales.

Total 2

Excused: Bardanouve, Moore.

Total 2

Absent or not voting: None.

Total 0

HB 151 - Representative Pistoria moved that Senate amendments to HB 151 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson,

Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Kadas.

Total 1

Excused: Bardanouve, Moore.

Total 2

Absent or not voting: None.

Total 0

HB 374 - Representative Pavlovich moved that Senate amendments to HB 374 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Hansen, Meyers, Sales, Wallin.

Total 4

Excused: Bardanouve, Moore.

Total 2

Absent or not voting: Devlin, Simon.

Total 2

HJR 2 - Representative Rapp-Svrcek moved that Senate amendments to HJR 2 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Bardanouve, Moore.

Total 2

Absent or not voting: D. Brown.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harp moved the adoption of the committee report. Report adopted. (81-17)

MOTIONS

Representative Pavlovich moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate on the Senate amendments to HB 374. Motion carried.

The Speaker appointed Representatives Mercer, Simon, and Pavlovich to that conference committee.

Representative Nathe moved that SB 370 be taken from the Committee on Education and rereferred to the Committee on Appropriations. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 2 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: Bardanouve, Moore.

Total 2

Absent or not voting: None.

Total 0

SB 16 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan,

Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Devlin, Giacometto, Hanson, Hayne, Nathe, Peterson, Swift, Swysgood.
Total 8

Excused: Bardanouve, Moore.
Total 2

Absent or not voting: None.
Total 0

SB 43 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Bardanouve, Moore.
Total 2

Absent or not voting: None.
Total 0

SB 78 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 96

Noes: Hannah.
Total 1

Excused: Bardanouve, Moore.
Total 2

Absent or not voting: Quilici.

Total 1

SB 84 concurred in as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Asay, Devlin, Hannah.

Total 3

Excused: Bardanoue, Moore.

Total 2

Absent or not voting: None.

Total 0

SJR 3 concurred in as follows:

Ayes: Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Addy, Asay, Lory, Peck, Ream, Stang.

Total 6

Excused: Bardanoue, Moore.

Total 2

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 2:30 p.m., March 6, 1987.

Motion carried.

House adjourned at 5:47 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FIFTIETH LEGISLATIVE DAY

Helena, Montana
March 6, 1987

House Chambers
State Capitol

House convened at 2:35 p.m., Mr. Speaker in the Chair. Invocation by Representative Grinde. Pledge of Allegiance to the Flag.

Roll call. All members present except Bachini, Bardanouve, J. Brown, Bulger, Daily, Darko, Hannah, Moore, Pavlovich, Poulsen, Quilici, and Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forty-ninth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/6/87

Correctly engrossed: HB 252, SB 11, SB 26, SB 72, SB 93, SB 153, SB 165.

Correctly enrolled: HB 92, HB 133, HB 257, HB 269, HB 297, HB 332, HB 334, HB 386.

Examined by the sponsor and found to be correct:

HB 92 - Gilbert	HB 297 - Kadas
HB 133 - M. Williams	HB 332 - J. Brown
HB 257 - Brandewie	HB 334 - Keenan
HB 269 - Jones	HB 386 - Cody

Signed by the Speaker at 3:15 p.m.: HB 92, HB 133, HB 257, HB 269, HB 297, HB 332, HB 334, HB 386.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman): 2/13/87

SB 46, third reading copy, be amended as follows:

1. Page 7.

Following: line 24

Insert: "NEW SECTION. Section 6. Effective date — termination. This act is effective on passage and approval and terminates June 30, 1989."

And, as amended, be concurred in. Report adopted.

SB 238, be concurred in. Report adopted. 3/6/87

APPROPRIATIONS (Donaldson, Chairman): 3/6/87

HB 760, do pass. Report adopted.

HB 777, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman): 3/6/87

SB 110, be concurred in. Report adopted.

SB 138, third reading copy, be amended as follows:

1. Title, line 10.

Strike: "AND AN EFFECTIVE DATE"

2. Page 11, lines 6 and 7.

Strike: section (12) in its entirety

And, as amended, be concurred in. Report adopted.

SB 218, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman):

3/6/87

SB 134, be concurred in. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

3/6/87

SB 236, be concurred in. Report adopted.

SB 267, third reading copy, be amended as follows:

1. Page 2, line 1.

Following: "coverage"

Insert: "of the member and any dependents"

And, as amended, be concurred in. Report adopted.

SB 281, be concurred in. Report adopted.

SJR 4, be concurred in. Report adopted.

TAXATION (Ramirez, Chairman):

3/6/87

HB 703, do pass. Report adopted.

HB 714, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/5/87

HB 230, introduced by Hanson

HB 238, introduced by Bradley

HB 281, introduced by Spaeth

HB 321, introduced by Bulger

HB 427, introduced by Vincent

HB 469, introduced by Keenan

HB 484, introduced by Harper

HB 485, introduced by Thoft

HB 553, introduced by Simon

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Miles in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 29 - Representative Spaeth moved that consideration of HB 29 be passed for the day because of the absence of the sponsor, Representative Bardanouve. Motion carried.

HB 316 - Representative Addy moved that HB 316 be placed below SB 174 on the second reading board for amendment. Motion carried.

HB 523 - Representative Fritz moved that consideration of HB 523 be passed for the day because of the absence of the sponsor, Representative Pavlovich. Motion carried.

SB 57 - Representative Giacometto moved that SB 57 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', DeMars, Devlin, Donaldson, Ellison, Eudaily,

Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Mr. Speaker.

Total 81

Noes: Cohen, Vincent.

Total 2

Excused: Bachini, Bardanouve, J. Brown, Bulger, Daily, Darko, Hannah, Moore, Pavlovich, Poulsen, Quilici, Winslow.

Total 12

Absent or not voting: Driscoll, Kadas, Menahan, Rehberg, Roth.

Total 5

Representative Bachini present at this time.

SB 73 - Representative Smith moved that SB 73 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 84

Noes: None.

Total 0

Excused: Bardanouve, J. Brown, Bulger, Daily, Darko, Hannah, Moore, Pavlovich, Poulsen, Quilici, Winslow.

Total 11

Absent or not voting: Driscoll, Menahan, Peck, Ramirez, Roth.

Total 5

Representatives J. Brown, Bulger, Pavlovich, Poulsen, and Quilici present at this time.

SB 80 - Representative Simon moved that SB 80 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith,

Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Bardanouve, Daily, Darko, Hannah, Moore, Winslow.

Total 6

Absent or not voting: Driscoll, Ellison, Menahan, Pistoria, Ramirez.

Total 5

Representative Daily present at this time.

SB 83 - Representative Simon moved that SB 83 be concurred in. After discussion, Representative Marks made a substitute motion that SB 83 be placed at the bottom of the second reading board for amendment. Motion carried.

Representative Darko present at this time.

SB 97 - Representative J. Brown moved that SB 97 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 93

Noes: Cobb, Peck.

Total 2

Excused: Bardanouve, Hannah, Moore, Winslow.

Total 4

Absent or not voting: Quilici.

Total 1

Representative Hannah present at this time.

SB 98 - Representative Vincent moved that SB 98 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang,

Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 96

Noes: Giacometto.

Total 1

Excused: Bardanouve, Moore, Winslow.

Total 3

Absent or not voting: None.

Total 0

SB 125 - Representative Sales moved that SB 125 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: Swysgood.

Total 1

Excused: Bardanouve, Moore, Winslow.

Total 3

Absent or not voting: Asay, Manuel.

Total 2

SB 140 - Representative Simon moved that SB 140 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 89

Noes: Bachini, Koehnke, Peck, Peterson, Poulsen, Wallin.

Total 6

Excused: Bardanouve, Moore, Winslow.

Total 3

Absent or not voting: Fritz, Pavlovich.

Total 2

SB 174 - Representative Nelson moved that SB 174, third reading copy, be amended as follows:

1. Title, line 7.

Following: "LEGAL"

Insert: "BONDED"

2. Page 3, line 15.

Following: "legal"

Insert: "bonded"

Following: "debt"

Insert: "payment"

Following: "final"

Insert: "debt service fund"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thofo, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Bardanouve, Moore, Winslow.

Total 3

Absent or not voting: Holliday, McCormick, Nelson, Williams.

Total 4

Representative Nelson moved that SB 174, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thofo, Thomas, Vincent, Wallin, Whalen, Williams.

Total 83

Noes: Campbell, Devlin, Ellison, Gilbert, Hayne, Hoffman, Peterson, Sales, Swysgood, Mr. Speaker.

Total 10

Excused: Bardanouve, Moore, Winslow.

Total 3

Absent or not voting: Connelly, Harper, Nathe, Switzer.

Total 4

Representative Donaldson excused at this time.

HB 316 - Representative Addy moved that HB 316, second reading copy, be amended as follows:

1. Page 5, lines 12 through 17.

Reinsert: stricken language

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Bardanouve, Donaldson, Moore, Winslow.

Total 4

Absent or not voting: Harper, Meyers, Thomas.

Total 3

Representative Addy moved that HB 316, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: Sales.

Total 1

Excused: Bardanouve, Donaldson, Moore, Winslow.

Total 4

Absent or not voting: Harper.

Total 1

SB 204 - Representative Poulsen moved that SB 204 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Glaser, Hansen, Harper, Harrington, Holliday, Iverson, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Miller, Nelson, Nisbet, Pavlovich, Peck, Phillips, Pistoria, Poulsen, Quilici, Raney, Rehberg, Roth, Russell, Sales, Schye, Squires, Strizich, Thomas, Vincent, Wallin, Whalen, Williams.

Total 56

Noes: Asay, Brandewie, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Nathe, O'Connell, Patterson, Peterson, Poff, Ramirez, Rapp-Svrcek, Ream, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Mr. Speaker.

Total 40

Excused: Bardanouve, Donaldson, Moore, Winslow.

Total 4

Absent or not voting: None.

Total 0

SB 235 - Representative Nelson moved that SB 235 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Strizich, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 73

Noes: Asay, Cobb, Devlin, Ellison, Giacometto, Grinde, Hanson, Hoffman, Koehnke, Nathe, Patterson, Ramirez, Rehberg, Roth, Sales, Sands, Stratford, Swift, Switzer, Swysgood, Mr. Speaker.

Total 21

Excused: Bardanouve, Donaldson, Moore, Winslow.

Total 4

Absent or not voting: Menke, Simon.

Total 2

SB 255 - Representative D. Brown moved that SB 255 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Bardanouve, Donaldson, Moore, Winslow.

Total 4

Absent or not voting: None.

Total 0

Representative Thoft excused at this time.

SB 256 - Representative Russell moved that SB 256, third reading copy, be amended as follows:

1. Page 1, line 23.

Following: "FEE"

Strike: "TO BE DETERMINED BY THE COURT"

Amendment passed as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 77

Noes: Bachini, Campbell, Giacometto, Gilbert, Glaser, Hannah, Keller, Koehnke, Menke, Peck, Sales, Swift, Switzer, Swysgood, Thomas.

Total 15

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: Jones, Patterson, Sands.

Total 3

Representative Russell moved that SB 256, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 81

Noes: Campbell, Devlin, Giacometto, Glaser, Hannah, Keller, Menke, Peck, Sales, Swift, Switzer, Swysgood, Thomas.

Total 13

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: Jones.

Total 1

SJR 6 - Representative Hannah moved that the free conference committee report on SJR 6 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Bulger, Cohen, Connelly, Driscoll, Hansen, Kadas, Nisbet, Raney, Rapp-Svrcek, Stang, Whalen.

Total 11

Paired: Winslow, Aye; Kadas, No.

Excused: Bardanouve, Donaldson, Moore, Thoft.

Total 4

Absent or not voting: Jenkins.

Total 1

SB 83 - Representative Simon moved that consideration of SB 83 be passed for the day. Motion carried.

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Miles moved the adoption of the committee report. Report adopted. (94-1)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 864, introduced by Manuel, (By Request of the House Appropriations Committee). Referred to Committee on Appropriations.

HB 865, introduced by Donaldson. Referred to Committee on Appropriations.

HB 866, introduced by Bradley, Switzer, (By Request of the House Appropriations Committee). Referred to Committee on Appropriations.

HJR 42, introduced by Vincent. Referred to Committee on Business and Labor.

MOTIONS

Representative Hannah moved that the rules be suspended to allow the free conference committee report on SJR 6 to be heard on third reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 193 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Brandewie, Gilbert, Hannah, Menke, Meyers, Sales, Switzer.

Total 7

Paired: Donaldson, Winslow, Ayes; Hannah, Sales, Noes.

Excused: Bardanouve, Moore, Thoft.

Total 3

Absent or not voting: Harp.

Total 1

SB 11 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: Harp.

Total 1

SB 26 concurred in as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Eudaily, Fritz, Giacometto, Glaser, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth,

Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 75

Noes: Bachini, Campbell, Cobb, Cody, Cohen, Driscoll, Ellison, Gilbert, Gould, Grinde, Hannah, Koehnke, Meyers, Nisbet, Peck, Poulsen, Raney, Stang, Whalen.

Total 19

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: Harp.

Total 1

SB 72 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: Cobb, Stang.

Total 2

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: Harp.

Total 1

SB 93 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: Cohen, Ellison, Harp.

Total 3

SB 153 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: Harp.

Total 1

SB 165 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: Harp.

Total 1

HB 68, Senate amendments and statement of intent, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen,

Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 91

Noes: Cohen, Sales.

Total 2

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: Harp, O'Connell.

Total 2

HB 88, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: Peck.

Total 1

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 126, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: Sales.

Total 1

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: None.

Total 0

HB 151, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: Eudaily.

Total 1

HJR 2, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: Menke.

Total 1

SJR 6, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford,

Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 84

Noes: Bulger, Cohen, Connelly, Driscoll, Hansen, Harp, Kadas, Nisbet, Rapp-Svrcek, Stang, Whalen.

Total 11

Excused: Bardanouve, Donaldson, Moore, Thoft, Winslow.

Total 5

Absent or not voting: None.

Total 0

MOTIONS

Representative Iverson moved that SB 235, which just passed second reading today, be rereferred to the Committee on Appropriations. Motion carried. (62-27)

Representative Vincent moved that Darko, Raney, Bulger, Poulsen, Menahan, Nisbet, Cody, Schye, Spaeth, Russell, Kennerly, Fritz, Cohen, Keenan, Corne', Ream, Harper, Harrington, Connelly, Kadas, J. Brown, Pistoria, Peck, McCormick, M. Williams, and O'Connell be added as sponsors to HB 853. Motion carried.

Representative Vincent moved that Darko, Raney, Bulger, Poulsen, Menahan, Rapp-Svrcek, Schye, Cody, Nisbet, Strizich, DeMars, Stang, Miles, Spaeth, J. Brown, Keenan, Quilici, Pavlovich, Russell, Kennerly, Fritz, Daily, Koehnke, Corne', Squires, Hansen, Harper, Harrington, Ream, Connelly, Kadas, Pistoria, Peck, McCormick, M. Williams, O'Connell, and Cohen be added as sponsors to HB 854. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 10:30 a.m., March 7, 1987.

Motion carried.

House adjourned at 4:20 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FIFTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 7, 1987

House Chambers
State Capitol

House convened at 10:30 a.m., Mr. Speaker in the Chair. Invocation by Representative Hannah. Pledge of Allegiance to the Flag.

Roll call. All members present except Addy, Bardanouve, Campbell, Harp, Kennerly, Moore, Patterson, Poulsen, and Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fiftieth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/7/87

Correctly printed: HB 703, HB 714, HB 760, HB 777.

Correctly engrossed: HB 316, SB 57, SB 73, SB 80, SB 97, SB 98, SB 125, SB 140, SB 174, SB 204, SB 255, SB 256.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman): 3/6/87

SB 277, be concurred in. Report adopted.

SB 379, be concurred in. Report adopted.

APPROPRIATIONS (Donaldson, Chairman): 3/6/87

HB 611, introduced bill, be amended as follows:

1. Page 1, line 11.

Strike: "Any"

Insert: "Fifty percent of any"

2. Page 1, line 16.

Following: "contract."

Insert: "Seven and one-half percent of the funds allocated to the designated subfund under this section shall be reallocated by the Montana board of regents of higher education to Montana college of mineral science and technology, eastern Montana college, northern Montana college, and western Montana college."

And, as amended, do pass. Report adopted.

HB 660, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "ESTABLISH"

Insert: "RECEIVE"

2. Title, lines 8 and 9.

Strike: "FUND APPROPRIATION BEGINNING IN THE 1991 BIENNIIUM"

Insert: "SUBFUND REPORT EACH YEAR"

Strike: "SECTIONS 17-8-101 AND"

Insert: "SECTION"

3. Title, line 10.

Following: "PROVIDING"

Insert: "AN"

Strike: "DATES"

Insert: "DATE AND A TERMINATION DATE"

4. Page 1, line 16.

Following: "20-25-302"

Insert: "and 20-25-402"

5. Page 1, line 24.

Following: "agency fund type"

Insert: "and funds that may be expended from the university plant fund under authority granted the board of regents under 20-25-302 and 20-25-402"

6. Page 2, line 8 through line 3, page 3.

Strike: section 2 in its entirety

Renumber: subsequent sections

7. Page 3, line 22 through line 14, page 4.

Strike: section 4 in its entirety

Insert: "NEW SECTION. Section 3. Detailed report on designated subfund. The board of regents shall, by October 1 of each year, submit a detailed report to the legislative finance committee on each designated subfund account. The report shall specifically identify:

(1) the source of revenue for each account and the legal authority for raising the revenue;

(2) transfers from or to other funds and other designated accounts;

(3) categories of expenditures;

(4) number and type of FTE; and

(5) the ending fund balance and the unreserved ending fund balance.

NEW SECTION. Section 4. Major university system recharge centers subject to appropriation. The board of regents shall present in the manner set forth in 17-7-111, for legislative consideration and appropriation, proposals relating to major recharge centers, such as the computer center, motor pool, and maintenance and service centers."

Renumber: subsequent sections

8. Page 4, line 17.

Strike: "section 3 or"

Insert: "sections 2 through"

9. Page 4, line 24.

Strike: "3 and"

Insert: "2 through"

10. Page 4, line 25 through line 1, page 5.

Strike: "20" on line 25 through "and 4" on line 1, page 5

Insert: "17, chapter 8, part 1, and the provisions of Title 17, chapter 8, part 1, apply to sections 2 through 4"

11. Page 5, line 3.

Strike: "Sections 1, 3, 5, and this section are"

Insert: "This act is"

12. Page 5, lines 5 and 6.

Following: "(2)" on line 5

Strike: subsection (2) in its entirety

Insert: "Section 4 terminates June 30, 1989."

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman): 3/6/87

SB 273, be concurred in. Report adopted.

SB 276, third reading copy, be amended as follows:

1. Page 2, line 20.

Following: "met"

Strike: " "

Insert: "or with a notation, signed by a majority of the board, that the criteria have not been met. The board's certification is binding on the county superintendent unless the county superintendent believes that the certification is in error. A dispute between the board and the county commissioners must be decided by the superintendent of public instruction and the decision of the superintendent of public instruction on the matter is final."

And, as amended, be concurred in. Report adopted.

TAXATION (Ramirez, Chairman):

3/6/87

HB 817, introduced bill, be amended as follows:

1. Page 2, line 8.

Strike: "17"

Insert: "19"

2. Page 2, line 19.

Strike: "state"

Insert: "Montana individual income tax, corporate license tax, or corporate"

3. Page 2, line 20.

Strike: "returns"

Insert: "return"

4. Page 4, line 21.

Following: "Montana"

Insert: "individual"

5. Page 4, line 22.

Strike: "fiscal"

Insert: "taxable"

6. Page 4.

Following: line 22

Insert: "Section 10. Tax deductibility. The amount of contributions made by a small business to its independent liability fund as defined in [this act] are deductible to that small business on its Montana corporate license tax or corporate income tax return for the taxable year in which the contributions are made to the fund."

Renumber: subsequent sections

7. Page 5, lines 2 and 3.

Following: "with" on line 2

Strike: remainder of line 2 and line 3 through "31"

Insert: "the applicable provisions of this chapter"

8. Page 5, line 7.

Strike: "12"

Insert: "13"

9. Page 5, line 8.

Strike: "15"

Insert: "17"

10. Page 5, line 10.

Strike: "must"

Insert: "may"

11. Page 5, line 21.

Following: "costs"

Insert: "— exception"

12. Page 5, line 22.

Strike: "[section 12(1)]"

Insert: "[section 13(1)], except those paid from the principal of an independent liability fund,"

13. Page 5, line 23.

Following: "Montana"

Strike: "state"

Insert: "individual"

14. Page 5.

Following: line 24

Insert: "Section 15. Tax deductibility of administrative costs. Administrative costs under [section 13(1)], except those paid from the principal of an independent liability fund, are deductible on Montana corporate license tax or corporate income tax return for the taxable year in which they are paid or accrued."

Renumber: subsequent sections

15. Page 7, line 1.

Strike: "15"

Insert: "17"

16. Page 7, line 2.

Strike: "15(2)"

Insert: "17(2)"

17. Page 7, line 3.

Following: "persons"

Insert: "under the applicable provisions of this chapter"

18. Page 7.

Following: line 11

Insert: "Section 20. Extension of authority. Any existing authority of the department of revenue to make rules on the subject of the provisions of this act is extended to the provisions of this act; however, any rules made by the department of revenue must be consistent with rules promulgated under section 19."

Renumber: subsequent sections

19. Page 7, line 19.

Strike: "11, 12, 14, 15, and 17"

Insert: "12, 13, 16, 17, and 19"

20. Page 7, lines 21 and 22.

Strike: "11, 12, 14, 15, and 17"

Insert: "12, 13, 16, 17, and 19"

21. Page 7, line 23.

Strike: "10, 13"

Insert: "11, 14"

Strike: "16"

Insert: "18"

22. Page 7, line 24.

Strike: "chapters"

Insert: "chapter"

Strike: "and 31"

23. Page 7, line 25.

Strike: "chapters"

Insert: "chapter"

Strike: "and 31"

24. Page 8, line 1.

Strike: "10, 13"

Insert: "11, 14"

Strike: "16"

Insert: "18"

25. Page 8.

Following: line 1

Insert: "(3) Sections 10, 11, 15, and 18 are intended to be codified as an integral part of Title 15, chapter 31, and the provisions of Title 15, chapter 31, apply to sections 10, 11, 15, and 18."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/6/87

HB 51, introduced by Peck

HB 116, introduced by J. Brown

Governor's amendments to House bill concurred in and returned to the House:

3/6/87

HB 30, introduced by Kitselman

MOTIONS

Representative Donaldson moved that SB 161 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried. (62-32)

Representative Vincent moved that consideration of HB 29 on second reading be postponed until the 55th legislative day, because the sponsor, Representative Bardanouve, is still in the hospital. Motion carried.

Representative Gould moved that consideration of SJR 1 on second reading be passed for the day, because the sponsor, Representative Patterson, is excused. Motion carried.

Representative Simon moved that consideration of SB 83 on second reading be postponed until the 53rd legislative day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Brandewie in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 523 - Representative Pavlovich moved that HB 523 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.
Total 90

Noes: Sales.
Total 1

Excused: Addy, Bardanouve, Campbell, Harp, Kennerly, Moore, Patterson, Poulsen, Winslow.
Total 9

Absent or not voting: None.
Total 0

Representative Campbell present at this time.

SB 6 - Representative J. Brown moved that SB 6 be concurred in. Motion carried as follows:

Ayes: Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen.
Total 84

Noes: Asay, Glaser, Hoffman, Holliday, Swift, Swysgood.
Total 6

Excused: Addy, Bardanouve, Harp, Kennerly, Moore, Patterson, Poulsen, Winslow.
Total 8

Absent or not voting: Williams, Mr. Speaker.
Total 2

SB 17 - Representative Russell moved that SB 17 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel,

Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams.

Total 86

Noes: Campbell, Giacometto, Hannah, Keller, Menke, Meyers, Swysgood, Thoft.

Total 8

Paired: Addy, Bardanouve, Kennerly, Ayes; Giacometto, Meyers, Thoft, Noes.

Excused: Harp, Moore, Patterson, Poulsen, Winslow.

Total 5

Absent or not voting: Mr. Speaker.

Total 1

SB 18 - Representative Russell moved that SB 18 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Holliday, Iverson, Kadas, Keenan, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Vincent, Whalen, Williams.

Total 67

Noes: Campbell, Cobb, Devlin, Giacometto, Gilbert, Hannah, Hayne, Hoffman, Jenkins, Jones, Keller, Kitselman, Menke, Meyers, Nelson, Roth, Sales, Smith, Swift, Swysgood, Thoft, Thomas, Wallin.

Total 23

Excused: Addy, Bardanouve, Harp, Kennerly, Moore, Patterson, Poulsen, Winslow.

Total 8

Absent or not voting: Donaldson, Mr. Speaker.

Total 2

Representative Manuel excused at this time.

SB 88 - Representative Mercer moved that SB 88 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Lory, McCormick, Menahan, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Williams.

Total 72

Noes: Bradley, Cobb, Connelly, Devlin, Driscoll, Grady, Grinde, Harper, Kadas, Koehnke, Menke, Miller, Ream, Sales, Swysgood, Thoft, Whalen.

Total 17

Excused: Addy, Bardanouve, Harp, Kennerly, Manuel, Moore, Patterson, Poulsen, Winslow.

Total 9

Absent or not voting: Donaldson, Mr. Speaker.

Total 2

SB 105 - Representative Simon moved that SB 105 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 88

Noes: None.

Total 0

Excused: Addy, Bardanouve, Harp, Kennerly, Manuel, Moore, Patterson, Poulsen, Winslow.

Total 9

Absent or not voting: Hannah, Miller, Mr. Speaker.

Total 3

Representative Strizich excused at this time.

SB 112 - Representative Cobb moved that SB 112 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 89

Noes: None.

Total 0

Excused: Addy, Bardanouve, Harp, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 10

Absent or not voting: Mr. Speaker.

Total 1

SB 120 - Representative Iverson moved that SB 120 be placed at the bottom of the second reading board. Motion carried.

SB 123 - Representative Nelson moved that SB 123 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Addy, Bardanouve, Harp, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 10

Absent or not voting: D. Brown, Ellison.

Total 2

SB 124 - Representative Nelson moved that SB 124 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 84

Noes: Cobb, DeMars, Devlin, Peck, Stang, Switzer.

Total 6

Excused: Addy, Bardanouve, Harp, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 10

Absent or not voting: None.

Total 0

SB 130 - Representative Pavlovich moved that SB 130 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Glaser, Gould, Grady, Hanson, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Lory, McCormick, Menahan, Meyers, Miles, Nathe,

Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Vincent, Whalen, Williams.

Total 65

Noes: Cobb, Cohen, Eudaily, Gilbert, Grinde, Hannah, Hansen, Harper, Hayne, Kadas, Koehnke, Menke, Nelson, Peck, Rapp-Svrcek, Sands, Simon, Thoft, Thomas, Wallin.

Total 20

Excused: Addy, Bardanouve, Harp, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 10

Absent or not voting: D. Brown, Mercer, Miller, Sales, Mr. Speaker.

Total 5

SB 144 - Representative Darko moved that SB 144 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 86

Noes: Hannah, Swysgood.

Total 2

Excused: Addy, Bardanouve, Harp, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 10

Absent or not voting: Mercer, Mr. Speaker.

Total 2

SB 171 - Representative Rapp-Svrcek moved that SB 171 be concurred in. Motion carried as follows:

Ayes: Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 84

Noes: Asay, Grinde, Switzer, Swysgood.

Total 4

Excused: Addy, Bardanouve, Harp, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 10

Absent or not voting: Harper, Mr. Speaker.

Total 2

Representative Harrington excused at this time.

Representative Iverson in the Chair.

SB 172 - Representative Hanson moved that SB 172 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 85

Noes: Grinde, Stang.

Total 2

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: Harper, Swift.

Total 2

SB 180 - Representative Brandewie moved that SB 180 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: Brandewie, Harper.

Total 2

Representative Brandewie in the Chair.

SB 182 - Representative Pavlovich moved that SB 182 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.
Total 82

Noes: Campbell, Grinde, Hannah, Kitselman, Peck, Swysgood.
Total 6

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.
Total 11

Absent or not voting: Harper.
Total 1

SB 242 - Representative Smith moved that SB 242 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.
Total 83

Noes: Campbell, Hannah, Jenkins, Meyers.
Total 4

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.
Total 11

Absent or not voting: Harper, Mr. Speaker.
Total 2

SB 243 - Representative Peterson moved that SB 243 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Giacometto, Gould, Grady, Hansen, Hanson, Harper, Hayne, Jenkins, Jones, Kadas, Keenan, Keller, Lory, McCormick, Menahan, Miles, Miller, Nathe, Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Squires, Stratford, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 62

Noes: Campbell, Compton, Devlin, Eudaily, Gilbert, Glaser, Grinde, Hannah, Hoffman, Holliday, Iverson, Kitselman, Koehnke, Menke, Mercer, Meyers, O'Connell, Poff, Sales, Schye, Stang, Swift, Switzer, Swysgood, Thoft, Thomas.

Total 26

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: Fritz.

Total 1

SB 245 - Representative Jenkins moved that SB 245 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: Peterson.

Total 1

SB 264 - Representative Whalen moved that SB 264 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: Pavlovich, Peterson.

Total 2

HB 254 - Representative Thomas moved that Senate amendments to HB 254 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: None.

Total 0

SB 120 - Representative Cody moved that SB 120 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 82

Noes: Campbell, Glaser, Hannah, Sales, Swift, Swysgood.

Total 6

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: Pavlovich.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Brandewie moved the adoption of the committee report. Report adopted. (85-4)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 867, introduced by Vincent, Gould. Referred to Committee on Business and Labor.

HB 868, introduced by Swysgood. Referred to Committee on Appropriations.

HB 869, introduced by Vincent. Referred to Committee on Business and Labor.

HB 870, introduced by Harper, Stratford, Hirsch, Bulger, Miller, Devlin, Donaldson, Rasmussen, Meyer, J. Brown, Pistoria, Grady, Miles, Nisbet, O'Connell, McCormick, Phillips, Vincent, Keenan. Referred to Committee on State Administration.

HB 871, introduced by Miller, McCormick, O'Connell, Phillips, Nisbet, Strizich, Schye, Bulger, Harper. Referred to Committee on State Administration.

MOTIONS

Representative Donaldson moved that SB 17 and SB 88, which just passed second reading, be rereferred to the Committee on Appropriations. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 252 passed as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Daily, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Quilici, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 65

Noes: Addy, Bardanouve, Bradley, Bulger, Cody, Cohen, Connelly, Corne', Darko, DeMars, Fritz, Gould, Hansen, Harper, Harrington, Kadas, Keenan, Miles, Moore, Nisbet, Peck, Pistoria, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 33

Paired: Asay, Gilbert, Harp, Keller, Lory, Manuel, Patterson, Winslow, Ayes; Addy, Bardanouve, Darko, Harrington, Moore, Raney, Rapp-Svrcek, Strizich, Noes.

Excused: Kennerly, Poulsen.

Total 2

Absent or not voting: None.

Total 0

SB 57 concurred in as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream,

Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 88

Noes: Cohen.

Total 1

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: None.

Total 0

SB 73 concurred in as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 88

Noes: Driscoll.

Total 1

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: None.

Total 0

SB 80 concurred in as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: Ellison.

Total 1

SB 97 concurred in as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: Compton.

Total 1

SB 98 concurred in as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 88

Noes: Giacometto.

Total 1

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: None.

Total 0

SB 125 concurred in as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth,

Squires, Stang, Stratford, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 88

Noes: Swysgood.

Total 1

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: None.

Total 0

SB 140 concurred in as follows:

Ayes: Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 84

Noes: Bachini, Koehnke, Peck, Peterson, Wallin.

Total 5

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: None.

Total 0

SB 204 concurred in as follows:

Ayes: Bachini, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Fritz, Giacometto, Grady, Hansen, Harper, Holliday, Iverson, Jones, Kadas, Keenan, Koehnke, Lory, McCormick, Meyers, Miles, Miller, Nathe, Nisbet, Pavlovich, Peck, Phillips, Pistoria, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Squires, Thomas, Vincent, Wallin, Whalen, Williams.

Total 51

Noes: Brandewie, Cobb, Compton, Devlin, Driscoll, Eudaily, Gilbert, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Jenkins, Keller, Kitselman, Menahan, Menke, Nelson, O'Connell, Patterson, Peterson, Poff, Rapp-Svrcek, Simon, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft.

Total 32

Paired: Thomas, Aye; Patterson, No.

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Poulsen, Strizich, Winslow.

Total 10

Absent or not voting: Asay, Campbell, Ellison, Glaser, Mercer, Ream, Mr. Speaker.

Total 7

SB 255 concurred in as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Addy, Bardanouve, Harp, Harrington, Kennerly, Manuel, Moore, Patterson, Poulsen, Strizich, Winslow.

Total 11

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks thanked this week's pages for their services and introduced them as follows:

Larisa Maney, Butte
 Jerry Driscoll, Billings
 Jim Driscoll, Billings
 Cindy Cote, Missoula
 Kevin Nelson, Hardin
 Richard Schwartzenberger, Sidney
 Tony Orednick, Glasgow
 Randi Erickson, Columbia Falls
 Ida Hinebauch, Glendive
 Lige Murray, Jordan

Representative Hannah moved that the House adjourn until 2:30 p.m., March 9, 1987.

Motion carried.

House adjourned at 12:46 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FIFTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 9, 1987

House Chambers
State Capitol

House convened at 2:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Cody. Pledge of Allegiance to the Flag.

Roll call. All members present except Kennerly, Moore, and Nathe, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fifty-first legislative day, find the same to be correct.

Hayne, Chairman

SPECIAL ORDERS OF THE DAY

The House of Representatives was entertained today by 50 talented students from the Columbia Falls High School Choir under the direction of Mrs. Cheryl Bailey.

COMMUNICATIONS AND PETITIONS

Representative Winslow read the following proclamation:

PROCLAMATION Billings Senior High Day

WHEREAS, it is appropriate for the 50th Legislature to recognize the outstanding achievement of Montanans; and

WHEREAS, Billings Senior High School on Saturday, March 7th, became the 1987 Class AA Basketball State Champions; and

WHEREAS, in order to accomplish this type of goal it took excellent talent, individual desire, great coaching, and community support; and

WHEREAS, it has been twenty years since the last basketball championship was awarded to Billings Senior High School; and

WHEREAS, in recent years the state champions have come from the West;
so

THEREFORE, be it resolved, the East is back! And that due to the accomplishment of Billings Senior High Boys' Basketball Team that this day in the Montana Legislature be proclaimed "Billings Senior High Day",

AND FURTHERMORE, be it resolved that this be a sign that Billings Is Alive and Well on its way to continued achievements.

Representative Hannah pointed out to the assembly that Winslow was a member of that Billings Senior High Team twenty years ago and led them to the State championship in basketball.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/9/87

Correctly printed: HB 611, HB 660, HB 817.

Correctly engrossed: HB 523, SB 6, SB 18, SB 105, SB 112, SB 120, SB 123, SB 124, SB 130, SB 144, SB 171, SB 172, SB 180, SB 182, SB 242, SB 243, SB 245, SB 264.

Delivered to the Governor for his approval at 9:18 a.m.: HB 92, HB 133, HB 257, HB 269, HB 297, HB 332, HB 334, HB 386.

APPROPRIATIONS (Donaldson, Chairman):

3/7/87

HB 385, do pass. Report adopted.**HB 492**, do pass. Report adopted.**HB 607**, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: “.”

2. Page 1, line 15.

Strike: “(1)”

3. Page 1, line 19.

Strike: “; or”

Insert: “.”

4. Page 1, lines 20 through 23.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

Adverse Committee Reports**HB 663**, do not pass.**EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):** 3/9/87**SB 35**, be concurred in. Report adopted.**JUDICIARY (Lory, Chairman):**

3/9/87

SB 77, be concurred in. Report adopted.**LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Hayne, Chairman):** 3/9/87

Report the following staff changes:

Termination of Molly Olson, permanent page to Minority Leader, effective 3/2/87.

Hiring of Julie Vincent, permanent page to Minority Leader, effective 3/2/87.

Termination of Julie Vincent, permanent page to Minority Leader, effective 3/9/87.

Hiring of Martha Cody, permanent page to Minority Leader, effective 3/9/87.

Termination of Konrad Ziesing, permanent page to the Speaker, effective 3/9/87.

Hiring of Eric Jones, permanent page to the Speaker, effective 3/7/87.

Hiring of Jeanne Johns, committee secretary, effective 3/5/87.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House:

3/7/87

HB 508, introduced by Campbell**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HB 872, introduced by Bradley, Iverson, Wallin, Ellison, Vincent, Corne', Addy, Eck, Boylan, Halligan, Jacobson, Crippen, B. Brown. Referred to Committee on Appropriations.

The following Senate bill was introduced, read first time, and referred to committee:

SB 337, introduced by Manning. Referred to Committee on Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Nelson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Nathe present at this time.

HB 714 - Representative Connelly moved that HB 714 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Darko, Gilbert.

Total 2

HB 760 - Representative Ream moved that HB 760 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Menke, Switzer.

Total 2

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Bardanouve, Nelson, O'Connell.

Total 3

HB 777 - Representative Ream moved that HB 777 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connolly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Giacometto, Grinde, Menke, Sales, Switzer.

Total 5

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Bardanouve.

Total 1

SB 21 - Representative Spaeth moved that SB 21, third reading copy, be amended as follows:

1. Page 2, line 7.

Strike: "without" through "hearing or" on line 8

2. Page 2, line 9.

Following: "practicable"

Insert: ", but the rule may not be filed with the secretary of state until at least 30 days have passed since publication of the notice of proposal to adopt the rule"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connolly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Bardanouve, Hannah.

Total 2

Representative Spaeth moved that SB 21, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Darko, Miles, Stang, Whalen.

Total 4

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Hannah.

Total 1

SB 46 - Representative Rapp-Svrcek moved that SB 46 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Menke.

Total 1

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Ellison, Peterson.

Total 2

SB 110 - Representative Harper moved that SB 110 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto,

Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cohen, Driscoll, Whalen.

Total 3

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Harp.

Total 1

Representative Harp excused at this time.

SB 134 - Representative Campbell moved that SB 134 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, DeMars, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 66

Noes: Bardanouve, Bradley, Bulger, Cody, Cohen, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Eudaily, Grinde, Hansen, Harper, Koehnke, Menke, Miles, Miller, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Russell, Schye, Stang, Switzer, Whalen.

Total 29

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Daily, Phillips.

Total 2

SB 138 - Representative Kitselman moved that SB 138, third reading copy, be amended as follows:

1. Page 11, line 2.

Following: "applies"

Insert: "retroactively, within the meaning of 1-2-109,"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel,

Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Harrington.

Total 1

Representative Simon moved that SB 138, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Daily, Darko, Donaldson, Ellison, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, McCormick, Menahan, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 73

Noes: D. Brown, Cody, Corne', DeMars, Devlin, Driscoll, Eudaily, Giacometto, Hannah, Hansen, Koehnke, Lory, Menke, Miles, Nisbet, Poff, Russell, Schye, Squires, Stang, Strizich, Switzer, Whalen.

Total 23

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Manuel.

Total 1

SB 218 - Representative Brandewie moved that SB 218 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Eudaily, Hannah.

Total 2

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Cody.

Total 1

SB 236 - Representative O'Connell moved that SB 236 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: J. Brown, Ellison.

Total 2

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Nelson moved the adoption of the committee report. Report adopted. (89-0)

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill No. 374
Report No. 1, March 7, 1987

Mr. Speaker:

We, your Conference Committee on House Bill No. 374 met and considered:

Senate amendments to House Bill No. 374, reference copy, dated February 20, 1987.

We recommend as follows:

That House Bill No. 374, reference copy, be amended as follows:

1. Title, line 10.

Following: "CREDIT,"

Insert: "TO PROVIDE FOR THE ASSISTANT DIRECTOR'S
SALARY;"

2. Title, line 15.

Following: "5,"

Insert: "8,"

3. Title, line 17.

Strike: "SECTION"

Insert: "SECTIONS 2-18-103 AND"

4. Page 5.

Following: line 12

Insert: "Section 3. Section 8, Chapter 669, Laws of 1985, is amended to read:

Section 8. Assistant director for security — qualifications — duties — compensation. (1) The director shall appoint an assistant director for security, who serves at the pleasure of the director.

(2) The assistant director for security must be qualified by training and experience, have at least 5 years of law enforcement experience, and be knowledgeable and experienced in computer security.

(3) The assistant director for security shall:

(a) be responsible for a security division to assure security, honesty, fairness, and integrity in the operation and administration of the lottery, including but not limited to an examination of the background of all prospective employees, ticket or chance sales agents, lottery vendors, and lottery contractors. The security division is designated a law enforcement agency for the purpose of administering [sections 1 through 20].

(b) in conjunction with the director, confer with the attorney general or his designee to promote and ensure security, honesty, fairness, and integrity of the operation and administration of the lottery; and

(c) in conjunction with the director, report any alleged violation of law to the attorney general, the legislative auditor, and any other appropriate law enforcement authority for further investigation and action.

(4) The salary of the assistant director for security is equal to 90% of the salary of the director of the lottery."

Renumber: subsequent sections

5. Page 17.

Following: line 16

Insert: "Section 10. Section 2-18-103, MCA, is amended to read:

"2-18-103. Officers and employees excepted. Parts 1 and 2 do not apply to the following positions in state government:

(1) elected officials;

(2) county assessors and their chief deputy;

(3) officers and employees of the legislative branch;

(4) judges and employees of the judicial branch;

(5) members of boards and commissions appointed by the governor, appointed by the legislature, or appointed by other elected state officials;

(6) officers or members of the militia;

(7) agency heads appointed by the governor;

(8) academic and professional administrative personnel with individual contracts under the authority of the board of regents of higher education;

(9) academic and professional administrative personnel and live-in houseparents who have entered into individual contracts with the state school for the deaf and blind under the authority of the state board of public education;

(10) teachers under the authority of the department of institutions;

(11) investment officer and assistant investment officer of the board of investments; ~~and~~

(12) four professional staff positions under the board of oil and gas conservation; and

(13) assistant director for security of the Montana state lottery."

Renumber: subsequent sections

6. Page 18, line 21.

Strike: "7"

Insert: "8"

7. Page 18, line 24.

Strike: "7"

Insert: "8"

And that this Conference Committee report be adopted.

For the Senate:

Stimat, Chairman

Walker

Hammond

For the House:

Simon

Mercer

Pavlovich

MOTIONS

Representative Rapp-Svrcek moved that the rules be suspended to allow SB 46, which just passed second reading, to be heard on third reading the same day because it expires very soon. Motion carried.

Representative Kitselman moved that HB 832 be taken from the Committee on Taxation and rereferred to the Committee on Business and Labor to be heard with a similar measure. Motion carried.

Representative Donaldson moved that SB 134, which just passed second reading, be rereferred to the Committee on Appropriations. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 316 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Sales.

Total 1

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Cohen, Harrington, Peterson.

Total 3

HB 523 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Sales.

Total 1

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Peterson, Smith.

Total 2

SB 6 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Asay, Glaser, Grinde, Holliday, Meyers, Patterson, Swift, Swysgood.

Total 8

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Ellison, Peterson.

Total 2

SB 18 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily,

Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 77

Noes: Cobb, Devlin, Giacometto, Hannah, Hayne, Hoffman, Keller, Kitselman, Menke, Meyers, Nelson, Roth, Sales, Swift, Swysgood, Thoft, Thomas, Wallin.

Total 18

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Peterson, Quilici.

Total 2

SB 105 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Peterson.

Total 1

SB 112 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Menke.

Total 1

SB 120 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Campbell, Hannah, Hoffman, Sales, Swift, Swysgood.

Total 6

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 123 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Smith.

Total 1

SB 124 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: DeMars, Devlin, Peck, Peterson, Stang, Switzer.

Total 6

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Jenkins.

Total 1

SB 130 concurred in as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Fritz, Giacometto, Glaser, Gould, Grady, Hanson, Harrington, Holliday, Iverson, Jenkins, Jones, Keenan, Kitselman, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rehberg, Roth, Russell, Schye, Smith, Stang, Stratford, Switzer, Swysgood, Vincent, Whalen, Williams, Winslow.

Total 61

Noes: Addy, Brandewie, Cobb, Cohen, Donaldson, Ellison, Eudaily, Gilbert, Grinde, Hannah, Hansen, Harper, Hayne, Hoffman, Kadas, Keller, Koehnke, Menke, Mercer, Meyers, Nelson, Peck, Ramirez, Rapp-Svrcek, Ream, Sales, Sands, Simon, Spaeth, Squires, Strizich, Thoft, Thomas, Wallin, Mr. Speaker.

Total 35

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Swift.

Total 1

SB 144 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Hannah, Swysgood.

Total 2

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Keller, O'Connell.

Total 2

SB 171 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Asay, Giacometto, Grinde, Swysgood, Thomas.

Total 5

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: O'Connell.

Total 1

SB 172 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Grinde, Menahan, Thomas.

Total 3

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Menke.

Total 1

SB 174 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen,

Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 91

Noes: Asay, Devlin, Hayne, Sales, Mr. Speaker.

Total 5

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Squires.

Total 1

SB 180 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Poulsen.

Total 1

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Asay.

Total 1

SB 182 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Grinde, Hannah, Kitselman, Koehnke, Meyers, Peck, Swysgood.

Total 7

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 242 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 90

Noes: Asay, Campbell, Cody, Hannah, Meyers, Poulsen, Mr. Speaker.

Total 7

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 243 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Brandewie, Campbell, Compton, Devlin, Gilbert, Glaser, Grinde, Hannah, Hoffman, Holliday, Kitselman, Koehnke, Menke, Mercer, Meyers, Poff, Poulsen, Ream, Sales, Schye, Stang, Swift, Switzer, Swysgood, Thoft, Thomas.

Total 26

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 245 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet,

O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Driscoll, Squires.

Total 2

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Hoffman.

Total 1

SB 256 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Devlin, Giacometto, Hannah, Hoffman, Keller, Nelson, Peck, Sales, Swift, Swysgood.

Total 10

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: Asay, Koehnke.

Total 2

SB 264 concurred in as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Addy.

Total 1

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: None.

Total 0

HB 254, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 46 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Harp, Kennerly, Moore.

Total 3

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 2:30 p.m., March 10, 1987.

Motion carried.

House adjourned at 4:33 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FIFTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 10, 1987

House Chambers
State Capitol

House convened at 2:40 p.m., Mr. Speaker in the Chair. Invocation by Representative Meyers. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley, D. Brown, Kennerly, Moore, Patterson, and Stratford, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fifty-second legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/10/87

Correctly printed: HB 385, HB 492, HB 607.

Correctly engrossed: HB 714, HB 760, HB 777, SB 21, SB 110, SB 138, SB 218, SB 236.

Correctly enrolled: HB 30, HB 51, HB 68, HB 88, HB 116, HB 126, HB 151, HB 230, HB 238, HB 281, HB 321, HB 427, HB 469, HB 484, HB 485, HB 508, HB 553, HJR 2.

Examined by the sponsor and found to be correct:

HB 30 - Kitselman	HB 281 - Spaeth
HB 51 - Peck	HB 321 - Bulger
HB 68 - Kitselman	HB 427 - Vincent
HB 88 - Manuel	HB 469 - Keenan
HB 116 - J. Brown	HB 484 - Harper
HB 126 - Harper	HB 485 - Thoft
HB 151 - Pistoria	HB 508 - Campbell
HB 230 - Hanson	HB 553 - Simon
HB 238 - Bradley	HJR 2 - Rapp-Svrcek

Signed by the Speaker at 3:45 p.m.: HB 30, HB 51, HB 68, HB 88, HB 116, HB 126, HB 151, HB 230, HB 238, HB 281, HB 321, HB 427, HB 469, HB 484, HB 485, HB 508, HB 553, HJR 2.

APPROPRIATIONS (Donaldson, Chairman): 3/7/87

HB 5, introduced bill, be amended as follows:

1. Page 2.
Strike: lines 23 through 25
2. Page 3, line 8.
Following: "Develop"
Insert: "Wildlife Management and Parks"
3. Page 3, line 8.
Strike: "400,000"
Insert: "379,000"
4. Page 3, line 17.
Strike: "650,000"
Insert: "425,000"
5. Page 3, line 18.
Strike: "100,000"
Insert: "179,000"
6. Page 3, line 19.

Strike: "Display, Capitol Complex"

Insert: "Projects"

7. Page 3.

Following: line 19

Insert: "Ashley Creek Headgate
31,500 FW&P License Fees"

8. Page 5.

Following: line 6

Insert: "Legal Fees and Costs, Montana State Prison
75,000" (insert sum under "CPF")

9. Page 5, line 8.

Strike: "225,000"

Insert: "75,000"

10. Page 5.

Following: line 11

Insert: "Helena Job Service Office Addition
250,000 DOLI Bond Proceeds
67,000 Federal Reed Act Funds
103,000 Federal" (insert sums under "Other Appropriated Funds")

11. Page 5, line 16.

Following: "300,000"

Insert: "Federal"

12. Page 5.

Following: line 16

Insert: "Armory Storage Additions
300,000 Federal" (insert sum under "Other Appropriated Funds")

13. Page 6.

Following: line 3

Insert: "Water and Steam Mains, UM
168,400 (insert sum under "CPF")
15,600 Auxiliary (insert sums under "Other Appropriated Funds")

Energy Management Control System, MSU

1,890,000" (insert sums under "Other Appropriated Funds")

14. Page 6, line 7.

Strike: "414,500"

Insert: "409,000"

15. Page 6, line 8.

Strike: "300,000 Federal"

Insert: "50,000 Private"

16. Page 6, line 9.

Strike: "145,000"

Insert: "108,700"

17. Page 6.

Following: line 9

Insert: "Section 8. Gartside dam construction. The following money is appropriated to the department of fish, wildlife, and parks in the amounts indicated for purposes of dam construction:

<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
Gartside Dam Construction		\$ 93,000 Parks Federal Revenue 250,000 Land and Water Conservation Funds

In accordance with 85-1-101, the department of natural resources and conservation shall manage the construction of the project.

Section 9. Authority to accept donation. The department of fish, wildlife, and parks is authorized to accept the donation of labor and materials to reconstruct boating facilities at Finley Point on Flat-head Lake.

Section 10. Helena job service office addition. Funding for the Helena job service office addition is appropriated from unspent 1980 and 1981 department of labor and industry bond proceeds and from Reed Act funds and federal operating funds, which must be transferred to the capital projects fund by the department of labor and industry. Funds of \$67,000 must be requisitioned and used pursuant to funds available under Section 903 of the Social Security Act and 39-51-404, for administrative expenses of the unemployment insurance program. These funds must be expended within 2 years after the effective date of this act.

Section 11. Recovery of uninsured losses. The department of administration has the authority to pay fees and expenses, not to exceed the amount recovered, associated with litigation to recover damages incurred by the state as a result of the December 30, 1985, explosion at Montana state prison.

<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
Prison Loss Recovery		\$200,000

Section 12. Building demolition or sale and removal. (1) The department of administration may solicit bids for the demolition or for the sale and removal of the following buildings:

	<u>Building Name</u>
Montana Developmental Center	Cottage No. 5 Old Administration Building Old Laundry Storage Tire/Rubber Storage Garage Hog House Old Granary Turkey House Ranch House Garage Chicken House Old Machine Shed Root Cellar
Montana Veterans' Home	Old Main & Annex Old Dorm Boiler Room Superintendent's Residence
Montana State Hospital	Bolton Former Children's Unit Apartment Building "A" W.S. Superintendent's Residence

Old Butcher Shop
Byron Hall
Former Lighthouse
Maintenance Shop
Lumber Storage
Old Barn
Lewis & Clark Lodge

Pine Hills School

(2) The director of the department of institutions shall certify to the department of administration that each of the buildings set forth in subsection (1) is surplus to the needs of the department and the state by reason of the building's age, deteriorated physical condition, safety considerations, or license deficiencies and has no residual economic or useful life. If the cost of repairing the deficiencies would preclude reasonable restoration and refurbishing efforts, the director of the department of administration may grant an order to proceed with demolition if:

(a) a successful contractor or bidder agrees to demolish or remove the building and reclaim the building site based on the salvage value of the building itself; and

(b) the demolition or removal of the building does not violate the provisions of the state antiquities law, as provided in Title 22, chapter 3, part 4, relative to established heritage properties under state ownership.

(3) The director of the department of administration may permit the director of the department of institutions to use the prison industries program, established in 53-1-301 through 53-1-304, to demolish and remove selected institutional buildings listed in subsection (1). The proceeds from the sale of salvageable material obtained through the demolition process must be deposited in the prison industries proprietary account. Permission may only be granted after the office of budget and program planning and the legislative finance committee determine that the proceeds from the sale of salvageable material will support the cost of demolition and removal.

Section 13. Sale of state land at Montana state prison. Pursuant to the provisions of 77-2-302 requiring that the board of land commissioners consult with an appropriate legislative committee prior to the sale of buildings formerly used by a state institution, the board is hereby authorized to sell the following properties if it determines this sale to be in the best interest of the state. Sale proceeds must be deposited in the capital projects fund. The board is authorized to pay costs of necessary surveys, appraisals, and all other costs associated with the sale of land from the proceeds of the sale. The land that may be sold is:

(1) approximately 10 acres of land formerly known as the Bratten Ranch, with approximately 14 structures. This property borders on Main street in the city of Deer Lodge, a Montana power company substation, and department of highways garage.

(2) approximately 10 acres of land formerly known as the Valiton Ranch, located 1 mile south of the Deer Lodge city limits. Included on this property are seven outbuildings and a duplex residence.

(3) approximately one-half acre of land and a single-family residence with detached two-car garage. This property is commonly known as the Brickyard property, south of the city of Deer Lodge.

(4) approximately one-half acre of land and a single-family residence with detached garage, located on the prison ranch about 7 miles north of Deer Lodge on the frontage road; and

(5) approximately 5 acres of land commonly known as the Old Brickyard, located south of Deer Lodge on the Eastside Road."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 6, introduced bill, be amended as follows:

1. Page 5.

Following: line 22

Insert: "MONTANA BUREAU OF MINES AND GEOLOGY
Low Grade Bentonite for Shot Hole Plugging \$45,890"

2. Page 6, line 2.

Strike: "\$90,000"

Insert: "\$140,000"

3. Page 6, line 20.

Following: "grant."

Insert: "(1)"

4. Page 6, line 22.

Following: "fund"

Strike: "for the development of a hazardous waste management collection and transfer project authorized by the 1985 legislature in House Bill No. 922 in the amount of \$632,313 is reauthorized."

Insert: "in the amount of \$212,000 is authorized for research and public education activities to be conducted by the department to help affected businesses minimize or eliminate the amounts of hazardous waste which they generate. Such activities may include but are not limited to:

(a) waste stream minimization studies;

(b) coordination of a waste exchange;

(c) dissemination of information through newsletters, training manuals, workshops pertaining to regulatory requirements, alternative technologies, and waste minimization efforts.

(2) If it is determined by the department that the need exists for the state to consider construction of a hazardous waste management collection and transfer facility, the department is authorized from amounts remaining from the sum of \$212,000 to prepare all necessary bid documents for a hazardous waste management collection program for presentation to and approval of the 1989 legislature."

5. Page 8.

Following: line 5

Insert: "Section 7. Appropriations established. For any entity of state government which receives a grant under this act, an appropriation is established for the amount of the grant upon award of the grant by the department."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 621, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "AN EFFECTIVE DATE"

Insert: "EFFECTIVE DATES"

2. Page 3, line 13.

Strike: "\$4,660,958"

Insert: "\$1,550,000"

3. Page 3, line 16.

Strike: "\$1,089,042"

Insert: "\$950,000"

4. Page 3.

Following: line 21

Insert: "(4) There is transferred to the Exxon weatherization account \$3,200,000 from the Exxon payment contained in the federal special revenue fund. These funds are appropriated to the department of social and rehabilitation services for use in the home weatherization program created in 90-4-201.

(5) The department of social and rehabilitation services shall encourage human resource development councils and other public or nonprofit entities that receive weatherization funds to hire individuals who are eligible for general relief under Title 53, chapter 3, to work in home weatherization projects, to the maximum extent possible."

5. Page 4, line 1.

Following: "solicit"

Strike: "proposals"

Insert: "and accept proposals for no less than 2 months following the issuance of requests for proposals"

6. Page 4.

Following: line 3

Insert: "geographic proximity to raw materials,"

7. Page 5.

Following: line 12

Insert: "NEW SECTION. Section 8. Biological agents for weed control. (1) The department of agriculture is authorized to expend funds for the collection and distribution of biological agents to control leafy spurge and spotted knapweed. The project will reduce energy consumption by reducing the need for repeated chemical application.

(2) The department of natural resources and conservation is authorized to administratively transfer funds to the department of agriculture for the project described in subsection (1)."

Renumber: subsequent sections

8. Page 6, line 12.

Strike: "\$1,089,042"

Insert: "\$1,000,000"

9. Page 7.

Following: line 9

Insert: "(9) There is appropriated from the stripper well payment contained in the federal special revenue fund to the department of natural resources and conservation \$139,042 for collection and distribution of biological agents to control leafy spurge and spotted knapweed."

Renumber: subsequent subsections

10. Page 10, line 18.

Following: "Effective"

Strike: "date"

Insert: "dates"

11. Page 10, line 19.

Following: "1987"

Insert: ", except that section 5 and this section are effective upon passage and approval"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 663, do not pass. Chairman Donaldson moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Cody, Compton, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, McCormick, Meyers, Miller, Nathe, Nelson, O'Connell, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Simon, Smith, Swift, Switzer, Swysgood, Thoft, Wallin, Winslow, Mr. Speaker.

Total 60

Noes: Bulger, Cobb, Cohen, Connelly, Daily, Darko, Driscoll, Harper, Harrington, Hayne, Kadas, Keenan, Koehnke, Manuel, Menahan, Mercer, Miles, Nisbet, Russell, Schye, Spaeth, Stang, Strizich, Thomas, Vincent, Whalen.

Total 26

Excused: Bradley, D. Brown, Kennerly, Moore, Patterson, Stratford.

Total 6

Absent or not voting: Corne', Hansen, Menke, Pistoria, Rapp-Svrcek, Ream, Squires, Williams.

Total 8

BUSINESS AND LABOR (Kitselman, Chairman):

3/10/87

SB 188, be concurred in. Report adopted.

SB 202, third reading copy, be amended as follows:

1. Page 2, lines 24 and 25.

Following: "means" on line 24

Strike: remainder of line 24 and line 25 through "commissioner"

And, as amended, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman):

3/10/87

SB 119, be concurred in. Report adopted.

SB 195, be concurred in. Report adopted.

SB 225, be concurred in. Report adopted.

Adverse Committee Reports

SB 24, be not concurred in.

SB 25, be not concurred in.

NATURAL RESOURCES (Jones, Chairman):

3/9/87

SB 85, third reading copy, be amended as follows:

1. Statement of Intent, page 1.

Strike: lines 17 through 20 in their entirety

Insert: "A statement of intent is provided for this bill in order to describe the need for a statutory appropriation and deletion of current reporting requirements. In the absence of a statutory appropriation authorizing the board of oil and gas conservation to accept and expend funds received from bonds for the proper plugging of abandoned or dry wells, the board must receive separate authorization for this purpose each biennium through the appropriation process. As a result, the board is unable to correct problems resulting from improperly plugged wells for up to 2 years or until it receives authorization to expend the necessary funds received from forfeited bonds."

2. Title, line 8.

Following: "~~WELLS;~~"

Insert: "PROVIDING A STATUTORY APPROPRIATION FOR FUNDS RECEIVED FROM BONDS FOR THE PROPER PLUGGING OF ABANDONED OR DRY WELLS;"

3. Title, line 14.

Following: "~~17-7-502;~~"

Insert: "17-7-502,"

Following: "82-11-132;"

Insert: ","

4. Page 4.

Following: line 12

Insert: "Section 1. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations:

(a) 2-9-202;

(b) 2-17-105;

(c) 2-18-812;

(d) 10-3-203;

(e) 10-3-312;

(f) 10-3-314;

(g) 10-4-301;

(h) 13-37-304;

(i) 15-31-702;

(j) 15-36-112;

- (k) 15-70-101;
- (l) 16-1-404;
- (m) 16-1-410;
- (n) 16-1-411;
- (o) 17-3-212;
- (p) 17-5-404;
- (q) 17-5-424;
- (r) 17-5-804;
- (s) 19-8-504;
- (t) 19-9-702;
- (u) 19-9-1007;
- (v) 19-10-205;
- (w) 19-10-305;
- (x) 19-10-506;
- (y) 19-11-512;
- (z) 19-11-513;
- (aa) 19-11-606;
- (bb) 19-12-301;
- (cc) 19-13-604;
- (dd) 20-6-406;
- (ee) 20-8-111;
- (ff) 23-5-612;
- (gg) 37-51-501;
- (hh) 53-24-206;
- (ii) 75-1-1101;
- (jj) 75-7-305;
- (kk) 80-2-103;
- (ll) 80-2-228;
- (mm) 90-3-301;
- (nn) 90-3-302;
- (oo) 90-15-103; ~~and~~
- (pp) Sec. 13, HB 861, L. 1985; and
- (qq) [section 4].

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into

agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments.””

Renumber: subsequent sections

5. Page 5.

Following: line 15

Insert: “(5) The department of revenue may adopt rules to implement this section.”

6. Page 6.

Following: line 14

Insert: “NEW SECTION. Section 4. Expenditure of funds from bonds for plugging wells. The board may accept and expend all funds received by it from bonds for properly plugging dry or abandoned wells as authorized in 82-11-123(5). These funds are statutorily appropriated as provided in 17-7-502.

NEW SECTION. Section 5. Extension of authority. Any existing authority of the department of revenue or the board of oil and gas conservaton to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 6. Codification instruction. Section 4 is intended to be codified as an integral part of Title 82, chapter 11, part 1, and the provisions of Title 82, chapter 11, part 1, apply to section 4.”

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SB 151, third reading copy, be amended as follows:

1. Title, line 5.

Strike: “A”

Insert: “AN INTERIM”

2. Page 2, line 8.

Strike: “a”

Insert: “an interim”

3. Page 2, line 9.

Following: “permit”

Insert: “for a period ending June 30, 1989,”

4. Page 2, line 11.

Following: “61478-g40C”

Insert: “for the purpose of conducting and evaluating a project to pump ground water from abandoned mine workings along the lower Musselshell River”

5. Page 2, line 13.

Following: “3.”

Insert: “Any party whose water rights are shown to be adversely affected by the appropriation of water authorized in this section may recover damages from the Deadman Basin water users association.”

And, as amended, be concurred in. Report adopted.

SB 262, be concurred in. Report adopted.

SJR 9, be concurred in. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 3/10/87
SB 197, be concurred in. Report adopted.
SB 230, be concurred in. Report adopted.
SB 240, be concurred in. Report adopted.

TAXATION (Ramirez, Chairman): 3/10/87
HB 157, introduced bill, be amended as follows:

1. Title, line 7.
Following: "MCA,"
Insert: "PROVIDING A COORDINATION INSTRUCTION;"
2. Page 4.
Following: line 23
Insert: "NEW SECTION. Section 4. Coordination. If this act and House Bill 658 are both passed and approved, this act is void."
Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 512, introduced bill, be amended as follows:

1. Page 2, lines 21 and 22.
Following: "account" on line 21
Strike: "of the agency fund type,"
Insert: "in the state special revenue fund"

And, as amended, do pass. Report adopted.

HB 678, second reading copy, be amended as follows:

1. Title, line 5.
Following: "'AN ACT"
Strike: "CHANGING THE PENALTY"
Insert: "INCREASING THE INTEREST RATE"

2. Title, lines 6 and 7.
Following: "PAYMENT" on line 6
Strike: "TO" through "TAX" on line 7

3. Page 1, line 21.
Following: "rate of"
Strike: "5/6 of"

4. Page 1, line 22.
Following: "and 2%"
Strike: "the penalty provided in [section 3]"
Insert: "2%"

5. Page 1, lines 23 and 24.
Following: "~~penalty~~" on line 23
Strike: "on each property"
Insert: "as a penalty"

6. Page 2.
Following: line 3
Strike: "of 5/6"

7. Page 2, line 5.
Following: "and 2%"
Strike: "the penalty provided in [section 3]"
Insert: "2%"

8. Page 2, line 6.

Following: "~~penalty~~"
Strike: "on each property"
Insert: "as a penalty"

9. Page 2.

Following: line 9

Insert: "(2) The penalty for delinquency applies only to taxes that are more than 10 days delinquent."

Renumber: subsequent subsections

10. Page 3, line 2.

Strike: "(2)(d)"

Insert: "(3)(d)"

11. Page 3, line 25.

Following: "rate of"

Strike: "5/6 of"

12. Page 4, lines 1 and 2.

Following: "~~2%~~" on line 1

Strike: "the penalty provided in [section 3]"

Insert: "~~2%~~"

13. Page 4, line 3.

Following: "~~penalty~~"

Strike: "on each property"

Insert: "as a penalty"

14. Page 4, line 6.

Following: "rate of"

Strike: "5/6 of"

15. Page 4, lines 7 and 8.

Following: "~~2%~~" on line 7

Strike: "the penalty provided in [section 3]"

Insert: "~~2%~~"

16. Page 4, line 9.

Following: "~~penalty~~"

Strike: "on each property"

Insert: "as a penalty"

17. Page 4.

Following: line 9

Insert: "(4) The penalty for delinquency applies only to taxes that are more than 10 days delinquent."

18. Page 4.

Following: line 9

Strike: sections (3) and (4) in their entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 794, introduced bill, be amended as follows:

1. Title, line 5.

Following: "'AN ACT"

Strike: "CLARIFYING THE"

Insert: "REPLACING THE PROPERTY TAX EXEMPTION FOR HOSPITALS BY ESTABLISHING A"

2. Title, lines 6 and 7.

Following: "NONPROFIT" on line 6
 Strike: "HOSPITALS AND OUTPATIENT SURGICAL CENTERS"
 Insert: "HEALTH CARE FACILITIES"

3. Title, line 8.

Following: "DATE AND"
 Strike: "A RETROACTIVE"
 Insert: "AN"

4. Page 2.

Following: line 10
 Strike: "licensed,"

5. Page 2, lines 11 and 12.

Following: "nonprofit"
 Strike: "hospitals and licensed, nonprofit outpatient surgical centers,"
 Insert: "health care facilities, as defined in 50-5-101, licensed by the department of health and environmental sciences and organized under Title 35, chapter 2 or 3. A health care facility that is not licensed by the department of health and environmental sciences and organized under Title 35, chapter 2 or 3, is not exempt."

6. Page 5, line 10.

Following: "applies"
 Strike: "retroactively, within the meaning of 1-2-109,"

7. Page 5, line 11.

Following: "December 31,"
 Strike: "1986"
 Insert: "1987"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bill not concurred in and returned to the House: 3/7/87

HB 95, introduced by Addy

House bills concurred in and returned to the House: 3/9/87

HB 228, introduced by Swysgood

HB 278, introduced by Grady

HB 440, introduced by Grady

HB 441, introduced by Grady

MOTIONS

Representative Patterson present at this time.

Representative Keenan moved that HB 611 be moved to the bottom of the second reading board, because the sponsor, Representative Brown would not be present until later. Motion carried.

Representative Cohen moved that Bradley, Blaylock, Miles, Strizich, Raney, Kadas, and Harper be added as sponsors to HB 781. Motion carried.

Representative Vincent moved that Campbell, Darko, Raney, Bulger, Poulsen, Menahan, Nisbet, Cody, Schye, Strizich, Miles, Spaeth, Russell, Kennerly, Fritz, Keenan, Corne', Ream, Harper, Harrington, Connelly, Kadas, J. Brown, Pistoria, Peck, McCormick, M. Williams, and O'Connell be added as sponsors to HB 855. Motion carried.

Representative Vincent moved that Campbell, Darko, Raney, Poulsen, Menahan, Rapp-Svrcek, Nisbet, Cody, Schye, Strizich, Miles, Spaeth, Russell, Kennerly, Fritz, Keenan, Corne', Ream, Harper, Harrington, Kadas, J. Brown, Pistoria, Peck, McCormick, M. Williams, and O'Connell be added as sponsors to HB 856. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 873, introduced by Hannah, Pinsonneault. Referred to Committee on Judiciary.

HB 874, introduced by Manuel, Tveit. Referred to Committee on Agriculture.

HB 875, introduced by Hansen, Whalen, Miles, Keenan. Referred to Committee on Appropriations.

HB 876, introduced by Ramirez, Schye. Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Whalen in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Addy excused at this time.

Representative Bradley present at this time.

SB 238 - Representative Swysgood moved that SB 238 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cody.

Total 1

Excused: Addy, D. Brown, Kennerly, Moore, Stratford.

Total 5

Absent or not voting: Cobb, Cohen.

Total 2

Representative Stang in the Chair.

Representatives Addy and Stratford present at this time.

SB 267 - Representative Whalen moved that SB 267 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Fritz, Giacometto, Gilbert, Gould, Grady, Hansen, Hanson, Harper, Harrington, Holliday, Jenkins, Kadas, Keenan, Koehnke, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Brandewie, Campbell, Compton, Devlin, Ellison, Eudaily, Glaser, Grinde, Hannah, Harp, Hayne, Hoffman, Iverson, Jones, Keller, Kitselman, Lory, Menke, Meyers, Patterson, Phillips, Sales, Switzer, Swysgood, Thoft, Wallin.

Total 26

Excused: D. Brown, Kennerly, Moore.

Total 3

Absent or not voting: None.

Total 0

Representative Whalen in the Chair.

SB 281 - Representative Campbell moved that SB 281 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: D. Brown, Kennerly, Moore.

Total 3

Absent or not voting: Cohen.

Total 1

SJR 1 - Representative Patterson moved that SJR 1 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan,

Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cobb, Peterson, Sands.

Total 3

Excused: D. Brown, Kennerly, Moore.

Total 3

Absent or not voting: Cohen.

Total 1

SJR 4 - Representative Fritz moved that SJR 4 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Driscoll, Nisbet, Whalen.

Total 3

Excused: D. Brown, Kennerly, Moore.

Total 3

Absent or not voting: None.

Total 0

Representative D. Brown present at this time.

HB 660 - Representative Peck moved that HB 660 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Winslow, Mr. Speaker.

Total 76

Noes: D. Brown, Bulger, Connelly, Daily, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Lory, Miles, Nisbet, Pavlovich, Quilici, Ream, Squires, Stang, Strizich, Wallin, Williams.

Total 21

Excused: Kennerly, Moore.

Total 2

Absent or not voting: Smith.

Total 1

HB 703 - Representative Gilbert moved that HB 703 do pass. Representative Keenan made a substitute motion that HB 703, second reading copy, be amended. Amendment failed. (34-64)

Representative Pavlovich excused at this time.

HB 703 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Bardanouve, Cohen, Driscoll, Harrington, Kadas, Keenan, Nisbet, Ream, Russell, Squires, Whalen.

Total 11

Paired: Pavlovich, Aye; Keenan, No.

Excused: Kennerly, Moore.

Total 2

Absent or not voting: None.

Total 0

HB 817 - Representative Glaser moved that HB 817 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Sales, Thomas.

Total 2

Excused: Kennerly, Moore, Pavlovich.

Total 3

Absent or not voting: None.

Total 0

SB 83 - Representative Marks moved that SB 83, third reading copy, be amended as follows:

1. Title, lines 9 and 10.

Strike: "REPEALING" through "17-6-323, MCA;"

2. Page 2, lines 16 and 17.

Strike: "NEW SECTION." through "repealed."

Renumber: subsequent section

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kennerly, Moore, Pavlovich.

Total 3

Absent or not voting: Poff, Rapp-Svrcek.

Total 2

Representative Simon moved that SB 83, as amended, be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Bardanouve, Bulger, Grinde, Miles, Nisbet, Raney, Ream, Sales, Spaeth.

Total 9

Excused: Kennerly, Moore, Pavlovich.

Total 3

Absent or not voting: Driscoll.

Total 1

SB 273 - Representative Glaser moved that SB 273 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Cody, Harp, Hayne, Patterson, Poulsen, Thomas.
Total 6

Excused: Kennerly, Moore, Pavlovich.
Total 3

Absent or not voting: Brandewie.
Total 1

SB 276 - Representative Eudaily moved that SB 276 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 93

Noes: Giacometto, Keller, Nisbet, Spaeth.
Total 4

Excused: Kennerly, Moore, Pavlovich.
Total 3

Absent or not voting: None.
Total 0

SB 277 - Representative Ellison moved that SB 277 be concurred in.
After debate, Representative Ellison made a substitute motion that consideration of SB 277 be passed for the day. Motion carried.

SB 379 - Representative Manuel moved that SB 379, third reading copy, be amended as follows:

1. Title, line 7.

Following: "FROM"

Insert: "VARIOUS SOURCES, INCLUDING"

2. Page 1, line 24.

Following: "FROM"

Insert: "various sources, including"

3. Page 2, line 24.

Strike: "all of the land"

Insert: "the lands benefited by the contract"

4. Page 4, line 5.

Following: "from"

Insert: "various sources, including"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Thomas.

Total 1

Excused: Kennerly, Moore, Pavlovich.

Total 3

Absent or not voting: Bardanouve.

Total 1

Representative Giacometto moved that SB 379, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Brandewie, D. Brown, Daily, Grady, Grinde, Harp, Menke, Meyers, O'Connell, Swift, Switzer, Swysgood, Thoft, Thomas.

Total 14

Excused: Kennerly, Moore, Pavlovich.

Total 3

Absent or not voting: None.

Total 0

HB 611 - Representative D. Brown moved that HB 611 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Bardanouve, Giacometto, Peck, Rapp-Svrcek.

Total 4

Excused: Kennerly, Moore, Pavlovich.

Total 3

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Whalen moved the adoption of the committee report. Report adopted. (91-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 714 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Giacometto, Sales.

Total 2

Excused: Kennerly, Moore, Pavlovich.

Total 3

Absent or not voting: D. Brown.

Total 1

HB 760 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz,

Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Grinde, Menke, Switzer.

Total 3

Excused: Kennerly, Moore, Pavlovich.

Total 3

Absent or not voting: None.

Total 0

HB 777 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Giacometto, Grinde, Keller, Menke, Sales, Switzer.

Total 6

Excused: Kennerly, Moore, Pavlovich.

Total 3

Absent or not voting: None.

Total 0

SB 110 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Whalen.

Total 1

Excused: Kennerly, Moore, Pavlovich.

Total 3

Absent or not voting: None.

Total 0

SB 218 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Giacometto, Hannah.

Total 2

Excused: Kennerly, Moore, Pavlovich.

Total 3

Absent or not voting: Ellison, Nelson, O'Connell.

Total 3

SB 236 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kennerly, Moore, Pavlovich.

Total 3

Absent or not voting: Mercer, Swysgood.

Total 2

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 3:30 p.m., March 11, 1987.

Motion carried.

House adjourned at 6:43 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FIFTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 11, 1987

House Chambers
State Capitol

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by Reverend Dave Orndorf. Pledge of Allegiance to the Flag.

Roll call. All members present except Harrington, Moore, and the Committees on Appropriations and Education, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fifty-third legislative day, find the same to be correct.

Hayne, Chairman

SPECIAL ORDERS OF THE DAY

The House of Representatives was visited today by members of the Big Sky Girl Scouts Council introduced by Mrs. Marilyn Lewis who is the president. Mrs. Lewis and representatives of the Helena Girl Scouts and their leaders invited the members of the House to attend and to participate in the 75th Anniversary Celebration of Girl Scouting in the United States.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/11/87

Correctly printed: HB 5, HB 6, HB 157, HB 512, HB 621, HB 678, HB 733, HB 794.

Correctly engrossed: HB 385, HB 492, HB 611, HB 660, HB 703, HB 817, SB 83, SB 238, SB 267, SB 273, SB 276, SB 281, SB 379, SJR 1, SJR 4.

Correctly enrolled: HB 228, HB 254, HB 278, HB 440, HB 441.

Examined by the sponsor and found to be correct:

HB 228 - Swysgood

HB 254 - Thomas

HB 278 - Grady

HB 440 - Grady

HB 441 - Grady

Delivered to the Governor for his approval at 9:10 a.m.: HB 30, HB 51, HB 68, HB 88, HB 116, HB 126, HB 151, HB 230, HB 238, HB 281, HB 321, HB 427, HB 469, HB 484, HB 485, HB 508, HB 553.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman): 3/11/87

SB 327, be concurred in. Report adopted.

SJR 12, be concurred in. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman): 3/11/87

SB 237, be concurred in. Report adopted.

SB 364, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman): 3/10/87

Adverse Committee Reports

SB 24, be not concurred in. Chairman Lory moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Corne', DeMars, Driscoll, Ellison, Eudaily,

Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Mercer, Meyers, Miles, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Ramirez, Raney, Ream, Roth, Russell, Sales, Sands, Simon, Smith, Stang, Stratford, Swysgood, Vincent, Wallin, Whalen, Mr. Speaker.

Total 64

Noes: Bulger, Daily, Darko, Kadas, Keenan, Squires, Strizich.

Total 7

Excused: Bardanouve, Bradley, Connelly, Devlin, Donaldson, Harrington, Manuel, Menahan, Menke, Miller, Moore, Nathe, Nisbet, Peck, Poulsen, Quilici, Rapp-Svrcek, Rehberg, Schye, Spaeth, Swift, Switzer, Thoft, Thomas, Williams, Winslow.

Total 26

Absent or not voting: Cohen, Fritz, Pistoria.

Total 3

SB 25, be not concurred in. Chairman Lory moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Daily, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Ramirez, Raney, Ream, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swysgood, Vincent, Wallin, Whalen, Mr. Speaker.

Total 64

Noes: Addy, Bachini, Cody, Corne', Darko, Hannah, Keller, Mercer, Pistoria.

Total 9

Excused: Bardanouve, Bradley, Connelly, Devlin, Donaldson, Harrington, Manuel, Menahan, Menke, Miller, Moore, Nathe, Peck, Poulsen, Quilici, Rapp-Svrcek, Rehberg, Schye, Spaeth, Swift, Switzer, Thoft, Thomas, Williams, Winslow.

Total 25

Absent or not voting: Fritz, Iverson.

Total 2

LOCAL GOVERNMENT (Wallin, Chairman):

3/11/87

SB 28, be concurred in. Report adopted.

SB 141, third reading copy, be amended as follows:

1. Page 1, line 19.

Following: "exceed"

Insert: "the lesser of: (a)"

Following: "dollar"

Insert: "; or

(b) 105% of the number of mills levied under the all-purpose levy or of the total number of mills levied pursuant to the levies set forth in [section 2] in the previous year"

And, as amended, be concurred in. Report adopted.

SB 274, third reading copy, be amended as follows:

1. Title, line 6.

Following: first "TO"

Insert: "A SUMMARY OF SIGNIFICANT FINDINGS AND"

2. Page 1, line 19.

Following: "include"

Insert: "a summary of significant findings, not to exceed 800 words, prepared by the auditing agency or firm and"

3. Page 1, line 24.

Following: "2-7-503"

Insert: "within (1)(c) through (1)(h) of 2-7-503"

And, as amended, be concurred in. Report adopted.

SB 309, be concurred in. Report adopted.

SB 367, be concurred in. Report adopted.

SB 368, be concurred in. Report adopted.

SB 382, third reading copy, be amended as follows:

1. Title, line 5.

Strike: "ALL"

Insert: "CERTAIN"

2. Page 1, line 14.

Strike: "All"

Insert: "Rights-of-way, ditches, flumes, pipelines, dams, water rights, reservoirs, equipment, machinery, motor vehicles, and other personal"

3. Page 1, line 16.

Strike: "irrigation district,"

4. Page 1, line 17.

Strike: "is"

Insert: "are"

5. Page 2.

Following: line 22

Insert: "(3) This act does not apply to any special assessments for the repayment of bonded indebtedness incurred before the effective date of this act if the bonds were issued on representations that the property exempted from special assessments by this act would be liable for repayment of the bonded indebtedness."

And, as amended, be concurred in. Report adopted.

Adverse Committee Reports

SB 135, be not concurred in.

STATE ADMINISTRATION (Sales, Chairman):

3/11/87

SB 23, be concurred in. Report adopted.

SB 279, be concurred in. Report adopted.

TAXATION (Ramirez, Chairman):

3/10/87

HB 733, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/10/87

HB 223, introduced by Bardanouve

HB 320, introduced by Hansen

HB 587, introduced by Darko

HB 625, introduced by Hansen

HB 646, introduced by Stang

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/10/87

HB 13, introduced by Mercer

HB 42, introduced by Cobb

HB 134, introduced by Addy

House bill indefinitely postponed and returned to the House: 3/10/87

HB 648, introduced by Holliday

MOTIONS

Representative Raney moved that the rules be suspended to allow the late drafting and introduction of a bill dealing with taking Burlington Northern land using the right of eminent domain. Motion failed to achieve the two-thirds majority. (43-34)

Representative Lory moved that SB 77 be taken from second reading and rereferred to the Committee on Judiciary to be considered with a similar measure. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Sands in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Iverson excused at this time.

Committee members returning at this time.

HB 385 - Representative Kadas moved that HB 385 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Mercer, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 73

Noes: Hanson, Hayne, Koehnke, Wallin.

Total 4

Excused: Bardanouve, Bradley, Connelly, Devlin, Donaldson, Harrington, Iverson, Manuel, Menahan, Menke, Miller, Moore, Nathe, Peck, Poulsen, Quilici, Rehberg, Spaeth, Swift, Switzer, Thoft, Winslow.

Total 22

Absent or not voting: Harper.

Total 1

HB 492 - Representative Miles moved that HB 492 do pass. Motion carried as follows:

Ayes: Addy, Asay, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Harp, Holliday, Jenkins, Kadas, Keenan, Keller, Kennerly, Lory, McCormick, Menahan, Mercer, Miles, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Russell, Sales, Sands, Schye, Simon, Squires, Strizich, Vincent, Whalen, Williams, Mr. Speaker.

Total 53

Noes: Bachini, Campbell, Cobb, Compton, Devlin, Ellison, Giacometto, Grinde, Hannah, Hanson, Hayne, Hoffman, Jones, Kitselman, Koehnke, Meyers, Patterson, Peterson, Ramirez, Rehberg, Roth, Smith, Stang, Stratford, Swysgood, Thomas, Wallin.

Total 27

Excused: Bardanouve, Bradley, Connelly, Donaldson, Harrington, Iverson, Manuel, Menke, Miller, Moore, Nathe, Poulsen, Quilici, Spaeth, Swift, Thoft, Winslow.

Total 17

Absent or not voting: Hansen, Harper, Switzer.

Total 3

HB 607 - Representative Keenan moved that HB 607 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Harp, Harper, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 75

Noes: Asay, Giacometto, Grinde, Hannah, Hanson, Hayne, Menke, Meyers, Nelson, Ramirez, Sands, Simon, Switzer.

Total 13

Excused: Bradley, Connelly, Donaldson, Harrington, Iverson, Miller, Moore, Nathe, Quilici, Spaeth, Thoft, Winslow.

Total 12

Absent or not voting: None.

Total 0

SB 35 - Representative Glaser moved that SB 35 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke,

Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Cohen, Kadas, Meyers.
Total 3

Excused: Bradley, Donaldson, Harrington, Iverson, Moore, Nathe.
Total 6

Absent or not voting: D. Brown.
Total 1

SB 277 - Representative Ellison moved that consideration of SB 277 be passed for the day. Motion carried.

HB 80 - Representative J. Brown moved that Senate amendments to HB 80 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, DeMars, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.
Total 81

Noes: Bulger, Cohen, Darko, Driscoll, Nisbet, Raney, Ream, Squires, Strizich, Whalen.
Total 10

Excused: Bradley, Donaldson, Harrington, Iverson, Moore, Nathe.
Total 6

Absent or not voting: Bardanouve, Fritz, Williams.
Total 3

Representative Iverson present at this time.

HB 374 - Representative Pavlovich moved that the conference committee report on HB 374 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 85

Noes: Cobb, Hannah, Nelson, Sales.

Total 4

Excused: Bradley, Donaldson, Harrington, Moore, Nathe.

Total 5

Absent or not voting: Bardanouve, Brandewie, Gilbert, Hansen, Harp, Menahan.

Total 6

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Sands moved the adoption of the committee report. Report adopted. (87-5)

MOTIONS

Representative Grinde moved that the rules be suspended to allow SB 35, which just passed second reading, to be heard on third reading the same day, because the bill deals with teacher tenure, and the schools have a time crunch. Motion carried.

Representative Daily moved that HB 683, the school foundation program funding bill, be taken from the table in the Committee on Education and printed and placed on second reading. After considerable debate, the motion failed. (45-54)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 611 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Giacometto, Koehnke, Rapp-Svrcek.

Total 3

Excused: Harrington, Moore.

Total 2

Absent or not voting: Bardanouve.

Total 1

HB 660 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke,

McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 79

Noes: D. Brown, Daily, Driscoll, Fritz, Glaser, Hansen, Harper, Kadas, Lory, Miles, Nisbet, Pavlovich, Ream, Squires, Stang, Strizich, Swysgood, Mr. Speaker.

Total 18

Excused: Harrington, Moore.

Total 2

Absent or not voting: Quilici.

Total 1

HB 703 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Bulger, Cohen, Driscoll, Harp, Kadas, Keenan, Kennerly, Nisbet, Ream, Russell, Squires, Whalen.

Total 12

Excused: Harrington, Moore.

Total 2

Absent or not voting: Quilici.

Total 1

HB 817 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Thomas.

Total 1

Excused: Harrington, Moore.

Total 2

Absent or not voting: Hannah.

Total 1

SB 21 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Darko, Meyers, Miles, Whalen.

Total 4

Excused: Harrington, Moore.

Total 2

Absent or not voting: Brandewie, Harp.

Total 2

SB 138 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Daily, Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: D. Brown, Cody, Corne', Devlin, Driscoll, Hannah, Koehnke, Miles, Nisbet, Poff, Russell, Schye, Stang, Strizich.

Total 14

Excused: Harrington, Moore.

Total 2

Absent or not voting: None.

Total 0

SB 238 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick,

Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Cody.

Total 1

Excused: Harrington, Moore.

Total 2

Absent or not voting: None.

Total 0

SB 267 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Gould, Grady, Hansen, Hanson, Harper, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 80

Noes: Brandewie, Devlin, Eudaily, Glaser, Grinde, Hannah, Harp, Hayne, Jones, Kitselman, Meyers, Patterson, Peck, Phillips, Sales, Swysgood, Thoft, Wallin.

Total 18

Excused: Harrington, Moore.

Total 2

Absent or not voting: None.

Total 0

SB 273 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cody, Hayne, Koehnke, Patterson, Thomas.

Total 5

Excused: Harrington, Moore.

Total 2

Absent or not voting: None.

Total 0

SB 276 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Bradley, Corne', Giacometto, Koehnke, Nisbet, Spaeth, Strizich, Vincent, Whalen.

Total 9

Excused: Harrington, Moore.

Total 2

Absent or not voting: None.

Total 0

SB 281 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Harrington, Moore.

Total 2

Absent or not voting: None.

Total 0

SJR 1 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen,

Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Giacometto, Peterson, Sands.

Total 3

Excused: Harrington, Moore.

Total 2

Absent or not voting: None.

Total 0

SJR 4 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: D. Brown, Driscoll, Nisbet, Whalen.

Total 4

Excused: Harrington, Moore.

Total 2

Absent or not voting: None.

Total 0

SB 35 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Cohen, Kadas.

Total 2

Excused: Harrington, Moore.

Total 2

Absent or not voting: Squires.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 2:30 p.m., March 12, 1987.

Motion carried.

House adjourned at 5:00 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FIFTY-FIFTH LEGISLATIVE DAY

Helena, Montana
March 12, 1987

House Chambers
State Capitol

House convened at 2:35 p.m., Mr. Speaker in the Chair. Invocation by Representative Nelson. Pledge of Allegiance to the Flag.

Roll call. All members present except Keenan, Moore, and the Committees on Appropriations and Human Services, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fifty-fourth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/12/87

Correctly engrossed: HB 607.

Correctly enrolled: HB 223, HB 320, HB 587, HB 625, HB 646.

Examined by the sponsor and found to be correct:

HB 223 - Bardanouve

HB 320 - Hansen

HB 587 - Darko

HB 625 - Hansen

HB 646 - Stang

Signed by the Speaker at 4:30 p.m., 3/11/87: HB 228, HB 254, HB 278, HB 440, HB 441.

Signed by the Speaker at 3:45 p.m.: HB 223, HB 320, HB 587, HB 625, HB 646.

Delivered to the Governor for his approval at 2:40 p.m.: HB 228, HB 254, HB 278, HB 440, HB 441.

BUSINESS AND LABOR (Kitselman, Chairman):

3/12/87

SB 103, be concurred in. Report adopted.

SB 247, third reading copy, be amended as follows:

1. Page 19, line 25.

Strike: "or"

2. Page 20, line 15.

Following: "commissioner"

Insert: "; or"

(d) he has no place of business in this state and during any 12 consecutive months does not direct business communications in this state in any manner to more than five present or prospective clients, other than those specified in subsection (3)(c), whether or not he or any of the persons to whom the communications are directed are then present in this state"

And, as amended, be concurred in. Report adopted.

SB 263, third reading copy, be amended as follows:

1. Title, line 8.

Following: first "THE"

Insert: "INTEREST ON"

Strike: "ARE"

Insert: "is"

2. Page 4, line 4.

Strike: "that are"

Insert: "the interest on which is"

3. Page 6, line 21.

Strike: "that are"

Insert: "the interest on which is"

And, as amended, be concurred in. Report adopted.

SB 294, be concurred in. Report adopted.

3/10/87

FISH AND GAME (Ellison, Chairman):

3/12/87

SB 109, be concurred in. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

3/11/87

Adverse Committee Reports

SB 135, be not concurred in. Chairman Wallin moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keller, Kennerly, Koehnke, Lory, McCormick, Mercer, Meyers, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Stang, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 67

Noes: Whalen.

Total 1

Excused: Bardanouve, Bradley, J. Brown, Cody, Connelly, Corne', Devlin, Donaldson, Gould, Iverson, Keenan, Kitselman, Manuel, Menahan, Menke, Miller, Moore, Nathe, Patterson, Peck, Poulsen, Sands, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Winslow.

Total 29

Absent or not voting: Miles, Pistoria, Ramirez.

Total 3

STATE ADMINISTRATION (Sales, Chairman):

3/12/87

SB 260, third reading copy, be amended as follows:

1. Page 5, line 18.

Following: "."

Insert: "(1)"

2. Page 5, line 21.

Strike: "(1)"

Insert: "(a)"

3. Page 5, line 25.

Strike: "(2)"

Insert: "(b)"

4. Page 5.

Following: line 25

Insert: "(2) If an individual fails to file the declaration as required under subsection (1)(a), he may not assume the position for which he was elected."

And, as amended, be concurred in. Report adopted.

SB 287, be concurred in. Report adopted.

SB 326, be concurred in. Report adopted.

SJR 11, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/11/87

HB 58, introduced by Keenan

HB 65, introduced by Peck

HB 77, introduced by J. Brown

HB 79, introduced by J. Brown

HB 82, introduced by J. Brown

HB 118, introduced by Nathe

HB 139, introduced by Koehnke

HB 162, introduced by Kennerly

HB 186, introduced by Nathe

HB 208, introduced by Addy

HB 239, introduced by Brandewie

HB 290, introduced by Spaeth

HB 433, introduced by Sands

HB 446, introduced by Switzer

HB 620, introduced by Giacometto

HB 706, introduced by D. Brown

HB 749, introduced by Squires

HJR 11, introduced by Miller

HJR 27, introduced by Phillips

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/11/87

HB 21, introduced by Fritz

HB 81, introduced by J. Brown

HB 206, introduced by McCormick

HB 267, introduced by Mercer

HB 452, introduced by Wallin

Conference committee report adopted:

3/11/87

HB 374, conference committee report

House bill not concurred in and returned to the House:

3/11/87

HB 767, introduced by Fritz

The Senate reconsidered its action and asked for the return of the following bill for further consideration:

3/11/87

HB 648, introduced by Holliday

Senate bill passed and transmitted to the House for concurrence: 3/11/87

SB 377, introduced by McCallum

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 877, introduced by Addy. Referred to Committee on Appropriations.

HB 878, introduced by Addy. Referred to Committee on Appropriations.

The following Senate bill was introduced, read first time, and referred to committee:

SB 377, introduced by McCallum. Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Schye in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

The committee members returning at this time.

HB 5 - Representative Thoft moved that HB 5 do pass. Representative Cobb made a substitute motion that HB 5, second reading copy, be amended. Amendment failed. (29-59)

Representative Compton excused at this time.

Representative Asay made a substitute motion that HB 5, second reading copy, be amended. Amendment failed. (12-85)

HB 5 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 82

Noes: Asay, Brandewie, Bulger, Campbell, Cobb, Giacometto, Grinde, Hannah, Hanson, Harp, Jones, Kennerly, Mercer, Peterson, Raney.
Total 15

Excused: Compton, Keenan, Moore.
Total 3

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Schye moved the adoption of the committee report. Report adopted. (74-17)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 385 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Hanson, Koehnke, Nathe.

Total 3

Excused: Compton, Keenan, Moore.

Total 3

Absent or not voting: Hansen, Ream, Thoft.

Total 3

HB 492 passed as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Hansen, Harper, Harrington, Holliday, Iverson, Jenkins, Kadas, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nisbet, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Spaeth, Squires, Strizich, Switzer, Thoft, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 61

Noes: Asay, Bachini, Campbell, Cobb, Devlin, Ellison, Giacometto, Glaser, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Jones, Kitselman, Koehnke, Menke, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Ramirez, Rehberg, Roth, Sands, Simon, Smith, Stang, Stratford, Swift, Swysgood, Thomas, Wallin.

Total 36

Excused: Compton, Keenan, Moore.

Total 3

Absent or not voting: None.

Total 0

HB 607 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Asay, Devlin, Giacometto, Grinde, Hannah, Hanson, Hayne, Keller, Menke, Meyers, Nelson, Ramirez, Sands, Switzer, Thomas.

Total 15

Excused: Compton, Keenan, Moore.

Total 3

Absent or not voting: Pavlovich.

Total 1

SB 83 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Nisbet, Spaeth.

Total 2

Excused: Compton, Keenan, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 379 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: D. Brown, Grinde, Hannah, Harp, Swift, Swysgood, Thoft.

Total 7

Excused: Compton, Keenan, Moore.

Total 3

Absent or not voting: Bardanouve.

Total 1

HB 80, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Bulger, Cohen, Darko, Driscoll, Ellison, Hansen, Nisbet, Raney, Squires, Strizich, Whalen.

Total 11

Excused: Compton, Keenan, Moore.

Total 3

Absent or not voting: None.

Total 0

HB 374, conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Cobb, Hannah, Hansen, Meyers, Nelson, Peck, Sales.

Total 7

Excused: Compton, Keenan, Moore.

Total 3

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 2:30 p.m., March 13, 1987.

Motion carried.

House adjourned at 4:30 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FIFTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 13, 1987

House Chambers
State Capitol

House convened at 2:40 p.m., Mr. Speaker in the Chair. Invocation by Representative Russell. Pledge of Allegiance to the Flag.

Roll call. All members present except the Committee on Agriculture, Hannah, Moore, Sands, Winslow, and Whalen, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fifty-fifth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/13/87

Correctly engrossed: HB 5.

Delivered to the Governor for his approval at 10:25 a.m.: HB 223, HB 320, HB 587, HB 625, HB 646.

BUSINESS AND LABOR (Kitselman, Chairman): 3/13/87

SB 186, third reading copy, be amended as follows:

1. Page 4, line 14.

Following: "securities"

Insert: "to clients"

2. Page 4, lines 16 and 17.

Strike: subsection (iii) in its entirety

Renumber: subsequent subsections

3. Page 12, line 9.

Strike: "and the investment adviser representative"

And, as amended, be concurred in. Report adopted.

SB 299, be concurred in. Report adopted.

SB 313, third reading copy, be amended as follows:

1. Page 13.

Strike: line 21 in its entirety and line 22 through "that"

And, as amended, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

3/13/87

SB 68, third reading copy, be amended as follows:

1. Page 1, lines 19 and 20.

Strike: subsection (2) in its entirety

Insert: "(2) An elementary school district and a high school district that are unified may use the same clearing account if the account is maintained in accordance with rules adopted by the superintendent of public instruction."

And, as amended, be concurred in. Report adopted.

SB 133, be concurred in. Report adopted.

SB 196, third reading copy, be amended as follows:

1. Title, line 8.

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

2. Page 3.

Following: line 9

Insert: "NEW SECTION. Section 4. Applicability. This act applies to any speech therapist, school nurse, or school psychologist who was hired on or after July 1, 1987."

And, as amended, be concurred in. Report adopted.

SB 231, be concurred in. Report adopted.

SB 232, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman):

3/12/87

SB 176, third reading copy, be amended as follows:

1. Page 1, lines 20 through 22.

Strike: "and" on line 20 through "37-8-202(5)" on line 22

2. Page 2.

Following: line 17

Insert: "(k) nursing services provided by nurse practitioners, nurse-midwives, and nurse-anesthetists as permitted by federal and state law;"

Renumber: subsequent subsection

And, as amended, be concurred in. Report adopted.

SB 185, be concurred in. Report adopted.

SB 305, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman):

3/13/87

SB 20, be concurred in. Report adopted.

SB 40, be concurred in. Report adopted.

SB 94, be concurred in. Report adopted.

SB 104, be concurred in. Report adopted.

SB 214, be concurred in. Report adopted.

SB 249, be concurred in. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

3/13/87

SB 206, be concurred in. Report adopted.

SB 282, be concurred in. Report adopted.

SB 356, be concurred in. Report adopted.

NATURAL RESOURCES (Jones, Chairman):

3/11/87

HB 795, introduced bill, be amended as follows:

1. Page 2.

Following: line 24

Insert: "(8) 'Fluid' means any material or substance that flows or moves, whether in a semisolid, liquid, sludge, gas, or any other form or state."

Renumber: subsequent subsections

2. Page 3, line 2.

Strike: "(9)"

Insert: "(10)"

3. Page 3, line 21.

Following: the first "by"

Insert: "state water quality standards or"

4. Page 5, line 22.

Strike: "salt"

5. Page 10, line 3.

Strike: "salt"

6. Page 10, line 10.

Strike: "salt"

7. Page 19, line 14.

Strike: "shall"

Insert: "may be required to"

Committee attached the following statement of intent:

Statement of Intent

HB 795

It is the intent of the legislature that the board of oil and gas conservation adopt rules necessary to regulate class II injection wells under the provisions of this act. These rules must establish an enforceable program meeting the requirements of the environmental protection agency for state administration of an underground injection control program and ensuring compliance with state water quality laws.

And, as amended, do pass. Report adopted.

SB 292, third reading copy, be amended as follows:

1. Title, line 19.

Strike: ":", through "DATE"

2. Page 46, lines 17 and 18.

Strike: section 9 in its entirety

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Sales, Chairman):

3/13/87

SB 14, be concurred in. Report adopted.

SB 128, be concurred in. Report adopted.

Adverse Committee Reports

SB 354, be not concurred in.

SB 355, be not concurred in.

TAXATION (Ramirez, Chairman):

3/12/87

HB 700, introduced bill, be amended as follows:

1. Page 3, line 2.

Following: "agreement"

Strike: "contemplated"

Insert: "required"

Following: "90-3-302"

Insert: "(1)"

2. Page 10, line 21.

Following: "availability"

Strike: "or feasibility"

3. Page 10, line 22.

Following: "under"

Strike: "90-3-203"

Insert: "90-3-301(2)"

4. Page 9, line 12.

Following: "board,"

Strike: "whether"

Insert: "that"

5. Page 12, line 11.

Following: "board"

Strike: "may"

Insert: "shall"

Following: "make"

Strike: "technology investments through"

Insert: "at least 20% of the technology development account available for investment in"

6. Page 12, line 13.

Following: "seed"

Insert: ", "

Strike: "and"

Following: "start-up"

Insert: ", and expansion"

7. Page 12, line 23.

Following: "["

Strike: "section"

Insert: "sections 13 and"

And, as amended, do pass. Report adopted.

HB 743, introduced bill, be amended as follows:

1. Title, line 8.

Following: "7-12-4183,"

Strike: "15-17-101,"

2. Pages 5 and 6.

Following: line 10, page 5

Strike: section 5 in its entirety

Renumber: subsequent sections

3. Page 10, lines 17 and 18.

Following: "weeks" on line 17

Strike: remainder of line 17 through "specified" on line 18

4. Page 11, line 3.

Following: "after"

Strike: "the latter of the date of"

Following: "publication:"

Strike: "or"

5. Page 11.

Following: line 3

Strike: "mailing"

6. Page 11, lines 10 through 22.

Following: "same." on line 10

Strike: remainder of line 10 through line 22 in its entirety

And, as amended, do pass. Report adopted.

HB 751, introduced bill, be amended as follows:

1. Title, line 6.

Following: "PROPERTY"

Insert: "AND NONPRODUCING IMPROVEMENTS TO RAIL-ROAD OPERATING PROPERTY"

2. Page 1, line 13.

Following: "manufacturing"

Insert: "and railroad operating"

3. Page 1, line 14.

Following: "Improvements"

Insert: "permanently affixed"

4. Page 1, line 16.

Following: "production"

Insert: "or as an improvement to a railroad's operating property that has ceased production, for a period of at least 12 consecutive months,"

Following: "be"

Insert: "fully or partially"

5. Page 1, line 19.

Following: "industry"

Insert: "or a railroad"

6. Page 1, line 21.

Following: "industry"

Insert: "or a railroad"

7. Page 1, line 22.

Following: "production"

Insert: "or transportation"

8. Page 2.

Following: line 5

Insert: "(3) For the purposes of this section, "railroad operating property" has the meaning provided in 15-23-202.

(4) The tax benefit described in subsection (1) applies only to the number of mills levied and assessed for local high school district and elementary school district purposes and to the number of mills levied and assessed by the governing body approving the benefit over which the governing body has sole discretion. In no case may the benefit described in subsection (1) apply to levies or assessments required under Title 15, chapter 10, 20-9-331, 20-9-333, or otherwise required under state law."

And, as amended, do pass. Report adopted.

HB 791, introduced bill, be amended as follows:

1. Title, line 6.

Following: "TAX;"

Strike: "AND"

Insert: "GRANTING RULEMAKING AUTHORITY TO THE DEPARTMENT OF REVENUE; PROVIDING FOR FUNDING OF THE ADMINISTRATION OF THE TAX; STATUTORILY APPROPRIATING THE ADMINISTRATIVE FUNDING;"

2. Title, line 7.

Following: "COLLECTED"

Insert: " ; AND AMENDING SECTION 17-7-502, MCA"

3. Page 1.

Following: line 7

Insert: "WHEREAS, dangerous drugs are commodities having considerable value, and the existence in Montana of a large and profitable

dangerous drug industry and expensive trade in dangerous drugs is irrefutable; and

WHEREAS, the state does not endorse the manufacturing of or trading in dangerous drugs and does not consider the use of such drugs to be acceptable, but it recognizes the economic impact upon the state of the manufacturing and selling of dangerous drugs; and

WHEREAS, it is appropriate that some of the revenue generated by this tax be devoted to continuing investigative efforts directed toward the identification, arrest, and prosecution of individuals involved in conducting illegal continuing criminal enterprises that affect the distribution of dangerous drugs in Montana.

THEREFORE, the Legislature of the State of Montana does not wish to give credence to the notion that the manufacturing, selling, and use of dangerous drugs is legal or otherwise proper, but finds it appropriate in view of the economic impact of such drugs to tax those who profit from drug-related offenses and to dispose of the tax proceeds through providing additional anticrime initiatives without burdening law abiding taxpayers."

4. Page 2, line 3.

Following: "of"

Strike: "1%"

Insert: "5%"

5. Page 3, lines 17 through 19.

Following: "5." on line 17

Strike: remainder of line 17 through line 19 in its entirety

Insert: "Administration and enforcement — department rules. (1) All law enforcement personnel and peace officers shall promptly report each person subject to the tax to the department, together with such other information which the department may require, in a manner and on a form prescribed by the department.

(2) The deficiency assessment provisions of 15-53-105, the civil penalty and interest provisions of 15-53-111, the criminal penalty provisions of 15-30-321(3), the estimation of tax provisions of 15-53-112, and the statute of limitations provisions of 15-53-115 apply to this tax and are fully incorporated by reference in this chapter. The department may adopt such rules as are necessary to administer and enforce the tax."

6. Page 3, line 24 through line 3, page 4.

Following: "7." on line 24, page 3

Strike: remainder of line 24 through page 4, line 3 in its entirety

Insert: "Warrant for distraint. If all or part of the tax imposed by this chapter is not paid when due, the department may issue a warrant for distraint as provided in Title 15, chapter 1, part 7. The resulting lien shall have precedence over any other claim, lien, or demand thereafter filed and recorded."

7. Page 4, line 12.

Following: "proceeds."

Insert: "(1)"

8. Page 4, line 15.

Following: "basis."

Insert: "(2)"

9. Page 4.

Following: line 18

Insert: "(3)"

Following: "tax"

Insert: "proceeds as follows:

(a) 85%"

10. Page 4, line 23.

Following: "jails"

Insert: "; and

(b) 15% to the special law enforcement assistance account created in 44-13-101 for the activities described in 44-13-103"

11. Page 4.

Following: line 23

Insert: "Section 10. Special revenue account. (1) There is created a special revenue fund to be called the dangerous drug tax administration fund.

(2) All administrative fees collected under [section 3(1)] shall be deposited by the department into the dangerous drug tax administration fund.

(3) The money in the dangerous drug tax administration fund may be expended by the department to administer the tax and pay any refund required by this chapter.

(4) The appropriation made in subsection (3) is a statutory appropriation as provided in 17-7-502.

Section 11. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations:

(a) 2-9-202;

(b) 2-17-105;

(c) 2-18-812;

(d) 10-3-203;

(e) 10-3-312;

(f) 10-3-314;

(g) 10-4-301;

- (h) 13-37-304;
- (i) 15-31-702;
- (j) 15-36-112;
- (k) 15-70-101;
- (l) 16-1-404;
- (m) 16-1-410;
- (n) 16-1-411;
- (o) 17-3-212;
- (p) 17-5-404;
- (q) 17-5-424;
- (r) 17-5-804;
- (s) 19-8-504;
- (t) 19-9-702;
- (u) 19-9-1007;
- (v) 19-10-205;
- (w) 19-10-305;
- (x) 19-10-506;
- (y) 19-11-512;
- (z) 19-11-513;
- (aa) 19-11-606;
- (bb) 19-12-301;
- (cc) 19-13-604;
- (dd) 20-6-406;
- (ee) 20-8-111;
- (ff) 23-5-612;
- (gg) 37-51-501;
- (hh) 53-24-206;
- (ii) 75-1-1101;
- (jj) 75-7-305;
- (kk) 80-2-103;
- (ll) 80-2-228;
- (mm) 90-3-301;
- (nn) 90-3-302;
- (oo) 90-15-103; **and**
- (pp) Sec. 13, HB 861, L. 1985; **and**
- (qq) [**section 10**].

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments.””

Renumber: subsequent section

12. Page 4, line 25.

Strike: “9”

Insert: “10”

13. Page 5, line 2.

Strike: “9”

Insert: “10”

Committee attached the following statement of intent:

Statement of Intent
HB 791

A statement of intent is required for this bill because it allows the department of revenue to adopt rules for the administration and enforcement of this tax.

It is the intent of the legislature that the department of revenue adopt rules that:

- (1) prescribe the forms of the tax returns and reports required by this act and the time for filing such returns and reports;
- (2) require the taxpayer to keep such records and provide such information to the department of revenue necessary to assess the tax;
- (3) define and clarify the terms and words used in this act;
- (4) set the time, circumstances, and conditions for the compliance of law enforcement agencies with section 5 of this act;
- (5) prescribe rules of procedure for administrative hearing under this act before the department; and
- (6) prescribe rules for refunds of the tax.

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/12/87

HB 37, introduced by Bradley

HB 93, introduced by Hanson

HB 129, introduced by Driscoll

HB 131, introduced by Driscoll

HB 189, introduced by Pavlovich

HB 235, introduced by Addy

HB 248, introduced by Simon

HB 476, introduced by Gould

HB 489, introduced by Miles

HB 563, introduced by Schye

HB 635, introduced by Simon

HB 692, introduced by J. Brown

HB 734, introduced by Bulger

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/12/87

HB 3, introduced by Donaldson

HB 64, introduced by Hanson

HB 67, introduced by Pavlovich

HB 130, introduced by Ellison

HB 326, introduced by Addy

House amendments to Senate bill concurred in:

3/12/87

SB 46, introduced by Neuman

MOTIONS

Representative Kitselman moved that SB 353 and SB 371 be taken from the Committee on Human Services and rereferred to the Committee on Business and Labor. These bills deal with alternate systems for delivering insured health care, such as HMO's and PPO's and need to be reviewed by that committee. Motion carried.

Representative Miller moved that HB 870 and HB 871 be taken from the Committee on State Administration and rereferred to the Committee on Education. These bills deal with salaries for teachers at the Mountain View School and the School for the Deaf and Blind. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Thomas in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Hannah and Sands present at this time.

The Committee on Agriculture returning at this time.

HB 6 - Representative Thoft moved that HB 6 do pass. Representative Ream made a substitute motion that HB 6, second reading copy, be amended. Amendment failed. (39-58)

Representative Winslow present at this time.

Representative Hannah made a substitute motion that HB 6, second reading copy, be amended. Amendment failed. (42-50)

Representative Menahan made a substitute motion that HB 6, second reading copy, be amended. Amendment failed. (23-65)

HB 6 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert,

Glaser, Gould, Grady, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Asay, Bulger, Cobb, Cohen, Grinde, Hannah, Jones, Kadas, Nelson, Raney, Ream.

Total 11

Excused: Moore, Rapp-Svrcek, Whalen.

Total 3

Absent or not voting: Harper, Poulsen.

Total 2

HB 29 - Representative Bardanoue moved that HB 29 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanoue, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 93

Noes: None.

Total 0

Excused: Moore, Rapp-Svrcek, Whalen.

Total 3

Absent or not voting: Cobb, Miller, Poulsen, Mr. Speaker.

Total 4

HB 157 - Representative Mercer moved that HB 157 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanoue, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 86

Noes: DeMars, Fritz, Patterson, Ream, Switzer.

Total 5

Excused: Moore, Rapp-Svrcek, Whalen.

Total 3

Absent or not voting: D. Brown, Hannah, Poulsen, Simon, Strizich, Mr. Speaker.

Total 6

HB 512 - Representative Campbell moved that HB 512, second reading copy, be amended. Amendment failed. (21-71)

Representative Campbell moved that HB 512, second reading copy, be amended. Amendment failed. (26-67)

Representative Hannah excused at this time.

Representative Ream moved that HB 512 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 94

Noes: Glaser, Hoffman.

Total 2

Excused: Hannah, Moore, Whalen.

Total 3

Absent or not voting: Mr. Speaker.

Total 1

HB 621 - Representative Connelly moved that HB 621, second reading copy, be amended. Amendment failed. (27-67)

Representative Quilici moved that HB 621 do pass. Representative Addy made a substitute motion that HB 621, second reading copy, be amended as follows:

1. Page 4.

Following: line 2

Insert: "(5) (a) There is appropriated to the department of social and rehabilitation services \$100,000 from the stripper well payment contained in the federal special revenue account for each year in the biennium ending June 30, 1989, for the purpose described in subsection (5)(b).

(b) Matching funds for low-income energy assistance. The department of social and rehabilitation services shall match private contributions to Energy Share, Inc., to be used to assist persons not eligible for federal low-income energy assistance whose income is less

than 150% of the federal poverty threshold published by the U.S. bureau of the census in the most recent edition of its publication, Characteristics of the Population Below the Poverty Level (Current Population Reports, Series P-60). All of the funds appropriated to the department for this purpose under subsection (5)(a) must be used for clients' fuel bills or other energy needs."

Renumber: subsequent subsection

2. Page 7, line 8.

Strike: "\$2,000,000"

Insert: "\$1,900,000"

3. Page 7, line 12.

Strike: "\$1,000,000"

Insert: "\$900,000"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Williams, Winslow, Mr. Speaker.

Total 74

Noes: Brandewie, Cobb, Devlin, Donaldson, Giacometto, Grady, Hanson, Harp, Kadas, Manuel, Menke, Roth, Sales, Thoft, Vincent.

Total 15

Excused: Hannah, Moore, Whalen.

Total 3

Absent or not voting: Bardanouve, D. Brown, Connelly, Driscoll, Jones, Ramirez, Smith, Wallin.

Total 8

Representative Bachini moved that HB 621, second reading copy, be further amended. Amendment failed. (22-72)

HB 621, as amended, passed as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Asay, D. Brown, Cobb, Hansen, Kadas, Raney.

Total 6

Excused: Hannah, Moore, Whalen.

Total 3

Absent or not voting: Bardanouve.

Total 1

HB 678 - Representative Devlin moved that HB 678, second reading copy, be amended as follows:

1. Page 2, line 11.

Strike: “(2)” through “DELINQUENT.” on line 12

Renumber: subsequent subsections

2. Page 3, line 5.

Strike: “(3)(d)”

Insert: “(2)(d)”

3. Page 4, line 13.

Strike: “(4)” through “DELINQUENT.” on line 14

Amendment passed as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Asay, Campbell, Stang, Vincent, Wallin.

Total 5

Excused: Hannah, Moore, Whalen.

Total 3

Absent or not voting: Bardanouve, Nathe.

Total 2

Representative Connelly moved that HB 678, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Brandewie, Campbell, Cobb, Grady, Hansen, Harp, Hayne, Menke, Phillips, Poulsen.

Total 10

Excused: Hannah, Moore, Whalen.

Total 3

Absent or not voting: Bardanouve.

Total 1

HB 794 - Representative Williams moved that HB 794 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow.

Total 81

Noes: D. Brown, Cobb, Cohen, Daily, Driscoll, Hansen, Harrington, Nelson, Pavlovich, Quilici.

Total 10

Excused: Hannah, Moore, Whalen.

Total 3

Absent or not voting: Bardanouve, Compton, Iverson, Nathe, Thoft, Mr. Speaker.

Total 6

SB 85 - Representative Harper moved that SB 85 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 90

Noes: Cobb, Driscoll.

Total 2

Excused: Hannah, Moore, Whalen.

Total 3

Absent or not voting: Bardanouve, J. Brown, Keenan, Nathe, Mr. Speaker.

Total 5

SB 119 - Representative Campbell moved that SB 119, second reading copy, be amended. Amendment failed. (11-81)

Representative D. Brown moved that SB 119 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 94

Noes: None.

Total 0

Excused: Hannah, Moore, Whalen.

Total 3

Absent or not voting: Bardanouve, Roth, Mr. Speaker.

Total 3

SB 188 - Representative Mercer moved that SB 188 be placed at the bottom of the second reading board. Motion carried.

SB 151 - Representative Holliday moved that SB 151 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Miles, Miller, Nathe, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Bulger, Cohen, Connelly, Kitselman, Meyers, Nelson, Nisbet, Peterson, Poulsen, Raney, Simon.

Total 11

Excused: Hannah, Moore, Whalen.

Total 3

Absent or not voting: Driscoll, Manuel, Pavlovich.

Total 3

Representative Russell excused at this time.

Representative Iverson in the Chair.

SB 195 - Representative Miles moved that SB 195 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp,

Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Ellison.

Total 1

Excused: Hannah, Moore, Russell, Whalen.

Total 4

Absent or not voting: Mercer.

Total 1

Representative Thomas in the Chair.

SB 197 - Representative Jenkins moved that SB 197 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Ellison.

Total 1

Excused: Hannah, Moore, Russell, Whalen.

Total 4

Absent or not voting: Mercer, Nathe, Swift.

Total 3

SB 202 - Representative Brandewie moved that SB 202 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Nathe, Peck.

Total 2

Excused: Hannah, Moore, Russell, Whalen.

Total 4

Absent or not voting: Mercer.

Total 1

SB 225 - Representative Addy moved that SB 225 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cobb, Keller.

Total 2

Excused: Hannah, Moore, Russell, Whalen.

Total 4

Absent or not voting: Nathe.

Total 1

Representative Hannah present at this time.

SB 230 - Representative Sales moved that SB 230 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cohen, Koehnke, Poulsen.

Total 3

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: None.

Total 0

SB 240 - Representative O'Connell moved that SB 240 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Gilbert, Poulsen.

Total 2

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: Holliday, Menahan.

Total 2

SB 262 - Representative Cobb moved that SB 262 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cohen.

Total 1

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: D. Brown, Menahan, Sands.

Total 3

SB 277 - Representative Ellison moved that SB 277, third reading copy, be amended as follows:

1. Page 7, line 8.

Following: "."

Insert: "The board shall keep confidential the vote of each producer, producer-distributor, and distributor voting in the referendum."

2. Page 8.

Following: line 13

Insert: "(d) An order of the board establishing a statewide pooling arrangement that has been approved in a referendum may be rescinded in the same manner as provided for approval of the order under subsection (14)(a). Such order may be amended without a referendum if, prior to amending the order, the board gives written notice of its intended action and holds a public hearing as required under the Montana Administrative Procedure Act."

Amendment passed as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: Asay, Bardanouve, Harrington, Kadas, O'Connell, Ream.

Total 6

Representative Ellison moved that SB 277, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Campbell, Hannah, Jenkins, Spaeth, Stang.

Total 5

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: Poulsen.

Total 1

SJR 9 - Representative Harper moved that SJR 9 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Asay, Gilbert, Kitselman, Simon, Spaeth.

Total 5

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: None.

Total 0

HB 733 - Representative Quilici moved that HB 733 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 94

Noes: Cohen, Connelly.

Total 2

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: Williams.

Total 1

SB 23 - Representative Cody moved that SB 23 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Mercer, Miles, Miller, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Vincent, Williams, Mr. Speaker.

Total 70

Noes: Asay, Brandewie, Campbell, Cobb, Devlin, Grady, Grinde, Harp, Hayne, Hoffman, Keller, McCormick, Menke, Meyers, Nathe, Nisbet, Poff, Ramirez, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow.

Total 26

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: Bradley.

Total 1

Representative Cohen excused at this time.

SB 28 - Representative D. Brown moved that SB 28 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Harp, Poulsen, Sales.

Total 3

Excused: Cohen, Moore, Russell, Whalen.

Total 4

Absent or not voting: Kitselman, Nathe.

Total 2

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Thomas moved the adoption of the committee report. Report adopted. (94-2)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 879, introduced by Cobb. Referred to Committee on Appropriations.

HB 880, introduced by Winslow, (By Request of the State Auditor). Referred to Committee on Taxation.

HB 881, introduced by Bradley, Regan, Giacometto, Miller, Spaeth, Donaldson, Harper. Referred to Committee on Appropriations.

HB 882, introduced by Ream, Fritz, Kadas. Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time, and referred to committees:

SB 66, introduced by Gage. Referred to Committee on Natural Resources.

SB 228, introduced by Van Valkenburg. Referred to Committee on Taxation.

SB 325, introduced by McCallum. Referred to Committee on Taxation.

SB 340, introduced by Severson. Referred to Committee on Taxation.

SB 389, introduced by McCallum. Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 5 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Asay, Bulger, Campbell, Cobb, Giacometto, Grinde, Hannah, Hanson, Harp, Jones, Mercer, Peterson, Raney.

Total 13

Excused: Cohen, Moore, Russell, Whalen.

Total 4

Absent or not voting: None.

Total 0

MOTIONS

Representative Hannah moved the House accede to the request of the Senate and return HB 648 for further consideration. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 10:30 a.m., March 14, 1987.

Motion carried.

House adjourned at 6:39 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FIFTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 14, 1987

House Chambers
State Capitol

House convened at 10:40 a.m., Mr. Speaker in the Chair. Invocation by Representative Sales. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, Moore, and Whalen, excused. Quorum present.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 883, introduced by M. Williams, Hirsch, Bengtson, Spaeth, B. Williams, Cody, Ramirez, (By Request of the Governor). Referred to Committee on Taxation.

HB 884, introduced by C. Smith, Darko, B. Williams, Thayer, Connelly, Jones, McCallum, Driscoll, Stang, Cohen, Squires, Rapp-Svrcek, Hansen, Harrington, Quilici, McCormick, Harp, Ream, Poulsen, Peterson, Blaylock, Van Valkenburg. Referred to Committee on Business and Labor.

HB 885, introduced by Swysgood, Ramirez. Referred to Committee on Taxation.

HJR 43, introduced by Winslow. Referred to Committee on Human Services.

HJR 44, introduced by Pavlovich, Harper, Vincent, Cohen, Driscoll, Bradley, Harrington, Ream, Connelly, Fritz, Kadas, Eck, O'Connell, Ellison, Hannah, Spaeth, Miller, Iverson, Phillips, Grady, Gilbert, Kitselman, Jones, J. Brown, Cody, Nisbet, Pistoria, Lynch, Stimatz, Regan, Walker, Abrams, Peck, Hanson, McCormick, M. Williams, Strizich, Daily, Menahan, Quilici, D. Brown, Manuel, Van Valkenburg, Bachini, Brandewie, Thoft, Bulger, Koehnke, DeMars, Schye, Lynch, Jacobson, Squires, Holliday, Gould, Corne', Darko, Haffey, Blaylock, Kennerly, Miles, Swysgood, Ramirez. Referred to Committee on Natural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harper in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 141 - Representative Hoffman moved that SB 141 be concurred in. Representative Marks made a substitute motion that SB 141 be placed below SB 287 on the second reading board for amendment. Motion carried.

SB 237 - Representative Brandewie moved that SB 237 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady,

Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 79

Noes: Cobb, Connelly, Darko, Driscoll, Fritz, Hansen, Harper, Kadas, McCormick, Miles, Nisbet, Peck, Russell, Schye, Squires, Strizich.

Total 16

Excused: D. Brown, Moore, Whalen.

Total 3

Absent or not voting: Bardanouve, Thomas.

Total 2

SB 274 - Representative Sales moved that SB 274 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Cohen, Gilbert, Koehnke, Pistoria, Poff, Schye.

Total 6

Excused: D. Brown, Moore, Whalen.

Total 3

Absent or not voting: Hannah, Pavlovich.

Total 2

SB 279 - Representative Fritz moved that SB 279 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Kadas.

Total 1

Excused: D. Brown, Moore, Whalen.

Total 3

Absent or not voting: None.

Total 0

Representative Addy excused at this time.

SB 309 - Representative J. Brown moved that SB 309 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Addy, D. Brown, Moore, Whalen.

Total 4

Absent or not voting: Compton.

Total 1

SB 327 - Representative Manuel moved that SB 327 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Addy, D. Brown, Moore, Whalen.

Total 4

Absent or not voting: Devlin, Harp, Nelson.

Total 3

Representatives Addy and D. Brown present at this time.

SB 364 - Representative Glaser moved that SB 364 be concurred in.
Motion carried as follows:

Ayes: Addy, Bradley, Brandewie, D. Brown, Bulger, Campbell, Daily, Devlin, Driscoll, Fritz, Giacometto, Glaser, Gould, Grady, Hanson, Harp, Harrington, Holliday, Jones, Kadas, Keenan, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Schye, Simon, Spaeth, Stang, Strizich, Swysgood, Williams.

Total 48

Noes: Asay, Bachini, Bardanouve, J. Brown, Cobb, Cody, Cohen, Compton, Corne', Darko, DeMars, Donaldson, Ellison, Eudaily, Gilbert, Grinde, Hannah, Hansen, Harper, Hayne, Hoffman, Iverson, Keller, Koehnke, Menke, Mercer, Meyers, Nathe, Nelson, Peck, Peterson, Poff, Raney, Rapp-Svrcek, Russell, Sales, Sands, Squires, Stratford, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 47

Excused: Moore, Whalen.

Total 2

Absent or not voting: Connelly, Jenkins, Smith.

Total 3

SB 367 - Representative Cohen moved that SB 367, third reading copy, be amended. Amendment failed. (16-77)

Representative Hansen moved that SB 367 be concurred in. After debate, Representative Sales made a substitute motion that SB 367 be not concurred in. Motion failed. (15-81)

SB 367 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Wallin, Williams, Winslow.

Total 86

Noes: Gould, Hanson, Manuel, Nathe, Peterson, Sales, Switzer, Swysgood, Thoft, Thomas, Vincent.

Total 11

Excused: Moore, Whalen.

Total 2

Absent or not voting: Mr. Speaker.

Total 1

SB 368 - Representative Kitselman moved that SB 368 be concurred in.
Motion carried as follows:

Ayes: Asay, Bardanouve, Brandewie, J. Brown, Campbell, Compton, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Hayne, Hoffman,

Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 66

Noes: Addy, Bachini, Bradley, D. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Ream, Russell, Schye, Squires, Stang, Strizich, Vincent.

Total 32

Excused: Moore, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 382 - Representative Spaeth moved that SB 382 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cobb, Fritz, Hansen.

Total 3

Excused: Moore, Whalen.

Total 2

Absent or not voting: Hannah, Lory.

Total 2

SJR 12 - Representative Campbell moved that SJR 12 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Asay, Devlin, Glaser, Grinde, Lory, Switzer, Swysgood.
Total 7

Excused: Moore, Whalen.
Total 2

Absent or not voting: Hannah, Koehnke, Pavlovich.
Total 3

Representative Addy excused at this time.

SB 188 - Representative Thomas moved that SB 188 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Addy, Moore, Whalen.
Total 3

Absent or not voting: Hannah.
Total 1

Representative Addy present at this time.

Representative Harp excused at this time.

SB 103 - Representative Brandewie moved that SB 103 be concurred in.
Representative Driscoll made a substitute motion that SB 103, third reading copy, be amended. Amendment failed. (47-53)

SB 103 concurred in as follows:

Ayes: Addy, Asay, Bardanouve, Brandewie, Campbell, Cody, Cohen, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.
Total 61

Noes: Bachini, Bradley, D. Brown, J. Brown, Bulger, Cobb, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Poulsen, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Whalen, Williams.
Total 39

Paired: Hannah, Mr. Speaker, Ayes; Moore, Whalen, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harp present at this time.

SB 109 - Representative Driscoll moved that SB 109 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Daily, Grinde, Hayne, Swysgood.

Total 4

Excused: Moore, Whalen.

Total 2

Absent or not voting: Hannah, Harp.

Total 2

Representative Harp excused at this time.

SB 247 - Representative Brandewie moved that SB 247 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 88

Noes: Addy, Devlin, Hannah, Koehnke, Nathe, Peck, Raney.

Total 7

Excused: Harp, Moore, Whalen.

Total 3

Absent or not voting: Cohen, Williams.

Total 2

SB 260 - Representative Fritz moved that SB 260 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Harp, Moore, Whalen.

Total 3

Absent or not voting: Cohen, Connelly.

Total 2

SB 263 - Representative Brandewie moved that SB 263 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Cobb.

Total 1

Excused: Harp, Moore, Whalen.

Total 3

Absent or not voting: Daily.

Total 1

SB 287 - Representative Jenkins moved that SB 287 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell,

Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cobb, Meyers, Rapp-Svrcek.

Total 3

Excused: Harp, Moore, Whalen.

Total 3

Absent or not voting: Daily, Ream.

Total 2

SB 141 - Representative Hoffman moved that SB 141, third reading copy, be amended as follows:

1. House Local Government Standing Committee Report, March 11, 1987, amending SB 141, Instruction No. 1.

Following: "or (b)"

Strike: "105%" through "year."

Insert: "the total number of mills levied in the prior year pursuant to the levies set forth in [section 3] as certified by the department of revenue under 15-10-202."

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Asay, D. Brown, Raney.

Total 3

Excused: Harp, Moore, Whalen.

Total 3

Absent or not voting: Connelly, Kadas, O'Connell, Pistoria.

Total 4

Representative Hoffman moved that SB 141, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Eudaily, Fritz, Grinde, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth,

Russell, Sales, Sands, Simon, Spaeth, Squires, Stang, Strizich, Switzer, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Brandewie, Compton, Devlin, Driscoll, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Harrington, Jenkins, Jones, Kitselman, Menke, Mercer, Meyers, Nelson, Peterson, Schye, Smith, Stratford, Swift, Swysgood, Thoft, Thomas.

Total 27

Excused: Harp, Moore, Whalen.

Total 3

Absent or not voting: None.

Total 0

SB 294 - Representative Driscoll moved that SB 294 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Campbell, Devlin, Ellison, Giacometto, Glaser, Hannah, Koehnke, Peterson, Stang.

Total 9

Excused: Harp, Moore, Whalen.

Total 3

Absent or not voting: Menke.

Total 1

Representative Whalen present at this time.

SB 326 - Representative Peck moved that SB 326, third reading copy, be amended. Amendment failed. (41-56)

Representative Jenkins moved that consideration of SB 326 be passed for the day. Motion failed.

Representative Peterson moved that SB 326 be concurred in. Representative Jenkins made a substitute motion that SB 326 be placed at the bottom of the second reading board. Motion failed.

Representative Peck excused at this time.

SB 326 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson,

Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 74

Noes: Bardanouve, Devlin, Ellison, Giacometto, Grinde, Hannah, Hanson, Jenkins, Keller, Menke, Mercer, Meyers, Nathe, Peck, Poulsen, Rapp-Svrcek, Sales, Simon, Smith, Switzer, Thoft, Thomas, Wallin.

Total 23

Paired: Keenan, Aye; Peck, No.

Excused: Harp, Moore.

Total 2

Absent or not voting: Lory.

Total 1

SJR 11 - Representative Campbell moved that SJR 11 be concurred in. Motion carried as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 84

Noes: Addy, Bachini, Bulger, Driscoll, Ellison, Grinde, Lory, McCormick, Nisbet, Switzer, Whalen.

Total 11

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: D. Brown, Williams.

Total 2

HB 21 - Representative Fritz moved that Senate amendments to HB 21 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 85

Noes: Cobb, Cohen, Harrington, Iverson, Meyers, Nathe, Raney, Sales, Swysgood, Whalen.

Total 10

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: Hoffman, Williams.

Total 2

HB 81 - Representative J. Brown moved that Senate amendments to HB 81 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow.

Total 90

Noes: Addy, Cobb, Meyers, Whalen.

Total 4

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: Hannah, Williams, Mr. Speaker.

Total 3

HB 206 - Representative McCormick moved that Senate amendments to HB 206 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 80

Noes: Addy, Asay, Cobb, Ellison, Hansen, Kadas, Keller, Mercer, Nelson, Ramirez, Sales, Sands, Simon.

Total 13

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: Bardanouve, Hannah, Swift, Williams.

Total 4

HB 267 - Representative Mercer moved that Senate amendments to HB 267 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Harp, Moore, Peck.
Total 3

Absent or not voting: Hannah, Hoffman, Lory, O'Connell, Swift, Williams.
Total 6

HB 452 - Representative Wallin moved that Senate amendments to HB 452 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Harp, Moore, Peck.
Total 3

Absent or not voting: Hannah, Williams.
Total 2

Representative Eudaily moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harper moved the adoption of the committee report. Report adopted. (91-4)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/14/87

Correctly printed: HB 700, HB 743, HB 751, HB 791, HB 795.

Correctly engrossed: HB 6, HB 29, HB 157, HB 512, HB 621, HB 678, HB 733, HB 794, SB 23, SB 28, SB 85, SB 119, SB 151, SB 195, SB 197, SB 202, SB 225, SB 230, SB 240, SB 262, SB 277, SJR 9.

Correctly enrolled: HB 58, HB 65, HB 77, HB 79, HB 82, HB 118, HB 139, HB 162, HB 186, HB 208, HB 239, HB 290, HB 433, HB 446, HB 620, HB 706, HB 749, HJR 11, HJR 27.

Examined by the sponsor and found to be correct:

HB 58 - Keenan
 HB 65 - Peck
 HB 77 - J. Brown
 HB 79 - J. Brown
 HB 82 - J. Brown
 HB 118 - Nathe
 HB 139 - Koehnke
 HB 162 - Kennerly
 HB 186 - Nathe
 HB 208 - Addy

HB 239 - Brandewie
 HB 290 - Spaeth
 HB 433 - Sands
 HB 446 - Switzer
 HB 620 - Giacometto
 HB 706 - D. Brown
 HB 749 - Squires
 HJR 11 - Miller
 HJR 27 - Phillips

Signed by the Speaker at 12:15 p.m.: HB 58, HB 65, HB 77, HB 79, HB 82, HB 118, HB 139, HB 162, HB 186, HB 208, HB 239, HB 290, HB 433, HB 446, HB 620, HB 706, HB 749, HJR 11, HJR 27.

STATE ADMINISTRATION (Sales, Chairman):

3/13/87

SB 149, be concurred in. Report adopted.

Adverse Committee Reports

SB 354, be not concurred in. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Peterson, Poulsen, Ramirez, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 70

Noes: D. Brown, Bulger, Cobb, Cody, Connelly, Daily, Driscoll, Giacometto, Hanson, Harrington, Jenkins, Koehnke, Mercer, O'Connell, Pavlovich, Phillips, Pistoria, Quilici, Raney, Rapp-Svrcek, Roth, Strizich, Swysgood, Thoft, Thomas.

Total 25

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: Poff, Whalen.

Total 2

SB 355, be not concurred in. Chairman Sales moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cody, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, Manuel, Menahan, Menke, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Poff, Poulsen, Raney, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Switzer, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 68

Noes: D. Brown, Bulger, Cobb, Cohen, Connelly, Daily, Driscoll, Giacometto, Harrington, Jenkins, Koehnke, McCormick, Mercer, Miles,

Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Rapp-Svrcek, Roth, Strizich, Swift, Swysgood, Thoft, Thomas, Whalen.

Total 29

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: None.

Total 0

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 3/14/87

HB 117, introduced by Hanson

HB 142, introduced by Harper

HB 197, introduced by Grady

HB 232, introduced by Thomas

HB 301, introduced by Rapp-Svrcek

HB 308, introduced by Miles

HB 343, introduced by Donaldson

HB 413, introduced by Brandewie

HB 516, introduced by Manuel

HB 517, introduced by Manuel

HB 585, introduced by Bradley

HB 624, introduced by M. Williams

HB 717, introduced by J. Brown

HJR 14, introduced by Donaldson

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/14/87

HB 143, introduced by Harper

HB 335, introduced by Pistoria

HB 591, introduced by Schye

HB 691, introduced by Bradley

House bill concurred in as amended, with Statement of Intent added, and returned to the House for concurrence in Senate amendments and the Statement of Intent: 3/14/87

HB 439, introduced by Grady

MOTIONS

Representative Hannah moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate on the Senate amendments to HB 206. Motion carried.

Speaker appointed Representatives Swysgood, Brandewie, and McCormick to that conference committee.

Representative Donaldson moved that SB 279 and SB 103, which just passed second reading, be rereferred to the Committee on Appropriations. Motion carried.

Representative Raney moved that Nisbet and Bulger be added as sponsors to HB 138. Motion carried.

Representative Connelly moved that she be allowed to change her vote on the Driscoll amendment to SB 103 on second reading from no to yes. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 6 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 85

Noes: Bulger, Cobb, Cohen, Grinde, Hannah, Jones, Nelson, Peterson, Raney, Ream, Winslow.

Total 11

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: Hoffman.

Total 1

HB 29 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: None.

Total 0

HB 157 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: DeMars, Hoffman, Meyers.

Total 3

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: None.

Total 0

HB 512 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Hoffman, Meyers.

Total 2

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: Glaser.

Total 1

HB 733 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream,

Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 95

Noes: Cohen, Whalen.
Total 2

Excused: Harp, Moore, Peck.
Total 3

Absent or not voting: None.
Total 0

HB 794 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 88

Noes: D. Brown, Cobb, Cohen, Driscoll, Fritz, Gilbert, Hansen, Harrington, Menke.
Total 9

Excused: Harp, Moore, Peck.
Total 3

Absent or not voting: None.
Total 0

SB 23 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Winslow, Mr. Speaker.
Total 81

Noes: Brandewie, Cobb, Devlin, Ellison, Grinde, Hayne, Nathe, Nisbet, Poff, Stratford, Swift, Switzer, Swysgood, Thoft, Winslow.
Total 15

Excused: Harp, Moore, Peck.
Total 3

Absent or not voting: Wallin.
Total 1

SB 28 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cobb, Sales.

Total 2

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: Smith.

Total 1

SB 85 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Cobb, Cohen, Driscoll, Hansen, Meyers, Whalen.

Total 6

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: None.

Total 0

SB 119 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Campbell, Driscoll, Fritz, Kadas, Raney, Whalen.

Total 6

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: Ellison.

Total 1

SB 151 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Bulger, Cohen, Connelly, Kitselman, Meyers, Nisbet, Peterson, Poulsen, Raney, Simon, Strizich, Whalen.

Total 12

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: None.

Total 0

SB 195 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Campbell, Nathe.

Total 2

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: None.

Total 0

SB 197 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: None.

Total 0

SB 202 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Nathe.

Total 1

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: Cohen, Ellison, Whalen.

Total 3

SB 225 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: D. Brown, Cobb, Driscoll, Hannah, Keller, Whalen.

Total 6

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: None.

Total 0

SB 230 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cobb, Cohen, Koehnke.

Total 3

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: None.

Total 0

SB 240 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Meyers.

Total 1

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: Asay.

Total 1

SB 262 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Cody, Cohen, Driscoll, Nisbet, Schye, Whalen.

Total 6

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: None.

Total 0

SJR 9 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Kitselman, Simon, Spaeth.

Total 3

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: None.

Total 0

MOTIONS

Representative Swysgood moved that he be allowed to change his vote on the adverse committee report on SB 354 from yes to no. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks thanked this week's pages for their services and introduced them as follows:

Tina Wegener, Big Fork
John McKenna, Great Falls
Nicole Prevost, Lambert

Robert Hardgrove, Billings
Lori Yeager, Dillon
Dwight Kelley, Stevensville
Jodi Koehnke, Toston
John Nielson, Havre

Representative Hannah moved that the House adjourn until 3:00 p.m.,
March 16, 1987.

Motion carried.

House adjourned at 2:15 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FIFTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 16, 1987

House Chambers
State Capitol

House convened at 3:00 p.m., Mr. Speaker in the Chair. Invocation by Pastor Don Kelley. Pledge of Allegiance to the Flag.

Roll call. All members present except Asay, DeMars, Gould, and Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifty-sixth and fifty-seventh legislative days, find the same to be correct.

Hayne, Chairman

SPECIAL ORDERS OF THE DAY

The House was entertained today by the Bozeman Community Children's Choir directed by Sharon Lasher.

COMMUNICATIONS AND PETITIONS

Representative Russell read the following proclamation and asked that it be included in the Journal:

WHEREAS, Montana high school basketball has been immeasurably enhanced by what is becoming commonly referred to as "Indian basketball";

WHEREAS, five Indian basketball teams participated in state high school tournaments this year;

WHEREAS, in House District 99, our three high school teams placed not only at the Divisional level but at the State level;

WHEREAS, the Lodge Grass Indians placed third in the State Class "B" Southern Divisional Tournament;

WHEREAS, the Hardin High School Bulldogs placed second in the State Class "A" Tournament; and

WHEREAS, of one hundred Class "C" basketball teams, eight reached the state championship level with the Plenty Coups Warriors of Pryor emerging as the victor!

NOW, THEREFORE, be it resolved that the Montana State Legislature extend hearty congratulations to House District 99, Big Horn County, the Crow Nation, the communities of Lodge Grass, Hardin and Pryor, their coaches, teachers, students and parents.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/16/87

Correctly engrossed: SB 103, SB 109, SB 141, SB 188, SB 237, SB 247, SB 260, SB 263, SB 274, SB 279, SB 287, SB 294, SB 309, SB 326, SB 327, SB 364, SB 367, SB 368, SB 382, SJR 11, SJR 12.

Correctly enrolled: HB 37, HB 80, HB 93, HB 129, HB 131, HB 189, HB 235, HB 248, HB 374, HB 476, HB 489, HB 563, HB 635, HB 692, HB 734.

Examined by the sponsor and found to be correct:

HB 37 - Bradley
 HB 80 - J. Brown
 HB 93 - Hanson
 HB 129 - Driscoll
 HB 131 - Ellison
 HB 189 - Pavlovich
 HB 235 - Addy

HB 248 - Simon
 HB 374 - Pavlovich
 HB 476 - Gould
 HB 489 - Miles
 HB 563 - Schye
 HB 635 - Simon
 HB 692 - J. Brown
 HB 734 - Bulger

Delivered to the Governor for his approval at 10:00 a.m.: HB 58, HB 65, HB 77, HB 79, HB 82, HB 118, HB 139, HB 162, HB 186, HB 208, HB 239, HB 290, HB 433, HB 446, HB 620, HB 706, HB 749.

FISH AND GAME (Ellison, Chairman):

3/13/87

SB 219, third reading copy, be amended as follows:

1. Title, line 12.

Following: "A"

Insert: "CLASS A-7 ANTLERLESS ELK LICENSE OR A"

Strike: "SECTION"

Insert: "SECTIONS 87-2-501 AND"

2. Page 1, line 25.

Strike: "A landowner"

Insert: "Subject to the limitation of subsection (4), a person who holds fee title to 640 acres or more of contiguous land, at least some of which is used by elk,"

3. Page 2, line 2.

Strike: "to hunt elk on land owned by him"

4. Page 2, line 3.

Strike: "APPROVAL FOR"

5. Page 2, line 6.

Following: "LANDOWNER."

Insert: "A corporation owning qualifying land under subsection (2) may designate one of its shareholders to receive the permit."

6. Page 2.

Following: line 11

Insert: "Section 2. Section 87-2-501, MCA, is amended to read:

"87-2-501. (Effective March 1, 1986) Class A-3, A-4, A-5, A-6, A-7—resident deer, elk, and bear licenses — special Class A-7 license requirements and preference. (1) Except as otherwise provided in this chapter, a resident, as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the season for which the license is issued may, upon payment of the proper fee or fees, be entitled to purchase one each of the following licenses at the prescribed cost which will entitle the holder to pursue, hunt, shoot, and kill the game animal or animals authorized by the license held and to possess the carcasses of those game animals as authorized by department rules:

- (a) Class A-3, deer A tag, \$9;
- (b) Class A-4, deer B tag, \$6;
- (c) Class A-5, elk tag, \$10;
- (d) Class A-6, black or brown bear tag, \$8;
- (e) Class A-7, antlerless elk tag, \$10.

(2) The holder of a Class A-7 antlerless elk license is entitled to take surplus antlerless elk in areas designated by the commission and at such times and upon such terms as set forth by the commission but may not simultaneously possess a Class A-5 and a Class A-7 license in the same year. The commission shall include in the terms of issuance of the Class A-7 license a requirement for surrender of a current Class A-5 license if held by a person at the time he purchases a Class A-7 license. If a current Class A-5 license is surrendered, as required by this section, the Class A-7 license must be issued without cost to the holder. No person may take more than one elk during any license year, and a person holding a Class A-7 antlerless elk tag may not take an elk during the same license year with a Class A-5 elk tag.

(3) Subject to the limitation of subsection (5), a person who holds fee title to 640 acres or more of contiguous land, at least some of which is used by elk, in a hunting district where Class A-7 licenses are awarded under this section shall be issued, upon application, a Class A-7 license.

(4) An applicant who receives a Class A-7 license under subsection (3) may designate that the license be issued to an immediate family member or a person employed by the landowner. A corporation owning qualifying land under subsection (3) may designate one of its shareholders to receive the license.

(5) Fifteen percent of the Class A-7 licenses available each year under this section in a hunting district must be available to landowners under subsection (3)."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

TAXATION (Ramirez, Chairman):

3/16/87

HB 222, introduced bill, be amended as follows:

1. Page 2, line 9.

Following: "incorporated"

Insert: "and operate exclusively"

Following: "Montana,"

Strike: remainder of line 9 through "residents" on line 10

Insert: "are not multistate corporations"

Strike: "those corporations" on line 10

2. Page 2.

Following: line 11

Insert: "(3) The election to file a consolidated return is binding as long as the affiliated group continues to file a federal consolidated return."

Renumber: subsequent subsections

3. Page 3, line 22.

Strike: "(5)"

Insert: "(6)"

4. Page 4, line 9.

Strike: "1982"

Insert: "1986"

And, as amended, do pass. Report adopted.

HB 409, do pass. Report adopted.

HB 709, introduced bill, be amended as follows:

1. Title, line 6.

Following: "THE"

Strike: "TERM"

Insert: "TERMS "NEW", "EXPANDING", AND"

2. Page 1, line 15.

Following: ""

Strike: "New or expanding"

Insert: "Expanding"

3. Page 1, lines 16 through 18.

Following: "industry" on line 16

Strike: remainder of line 16 through "industry" on line 18

4. Page 1, line 18.

Following: "added"

Insert: "at least \$250,000 worth of"

5. Page 1, line 24.

Following: "into"

Strike: "new"

6. Page 2.

Following: line 7

Insert: "(3) "New" means that the industry is new to the jurisdiction approving the resolution provided for in 15-24-1402(2) and has invested at least \$500,000 in the jurisdiction. New industry does not include property treated as new industrial property under 15-6-135."

7. Page 2, line 15.

Following: "industry"

Insert: ", as designated in the approving resolution,"

8. Page 3, line 12.

Following: "jurisdiction."

Insert: "The resolution may provide that real property, personal property, improvements, or any combination thereof are eligible for the tax benefits described in subsection (1)."

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 846, do not pass.

SB 47, be not concurred in.

LOCAL GOVERNMENT (Wallin, Chairman):

3/16/87

SB 220, be concurred in. Report adopted.

SB 288, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks

March 13, 1987

Speaker of the House

State Capitol

Helena, Montana 59620

Dear Speaker Marks:

Please be informed that I signed House Bill No. 30, 51, 68, 88, 92, 116, 126, 133, 151, 230, 238, 257, 269, 281, 297, 321, 332, 334, 427, 469, 484, 485, 508, and 553 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 16, 1987

Dear Speaker Marks:

Please be informed that I signed House Bill No. 223, 320, 587, 625, and 646 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert L. Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 13, 1987

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Marks and Senator Norman:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return House Bill No. 386, "AN ACT TO CLARIFY THE RULEMAKING AUTHORITY OF THE BOARD OF CHIROPRACTORS; TO ESTABLISH INACTIVE STATUS REQUIREMENTS AND FEES FOR INACTIVE STATUS; AMENDING SECTIONS 37-12-201, 37-12-307, AND 37-12-309, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE," without my signature and recommend the attached amendments for the following reasons.

Article V, Section 11 (3) of the Montana Constitution requires that the subject of a bill be clearly expressed in the title. Section 37-12-309, MCA, prohibits municipalities and other political subdivisions from imposing license taxes or fees upon doctors of chiropractic as a condition to the practice of their profession. Section 3 of House Bill 386 would extend this prohibition to local governments with self-governing powers. The title of the House Bill 386 does not, however, reflect this amendment.

Also, section 37-12-201 (2), MCA, currently limits the Board of Chiropractors to no more than four meetings a year. Although section 1 of House Bill 386 would eliminate this limitation, the title of the bill does not reflect this change in the statute.

My proposed amendments make the necessary changes in the title. I urge your concurrence in these amendments.

Sincerely,

Ted Schwinden
Governor

PROPOSED GOVERNOR'S AMENDMENTS
TO HOUSE BILL 386
REFERENCE COPY

1. Title, line 5.

Following: "ENTITLED: "AN ACT"

Insert: "TO ALLOW THE BOARD OF CHIROPRACTORS TO
HOLD MORE THAN FOUR MEETINGS A YEAR;"

2. Title, line 6.

Following: "BOARD"

Strike: "OF CHIROPRACTORS"

3. Title, line 8.

Following: "STATUS;"

Insert: "PROHIBITING LOCAL GOVERNMENTS WITH SELF-
GOVERNING POWERS FROM IMPOSING LICENSING FEES
OR TAXES ON CHIROPRACTORS;"

MOTIONS

Representative Addy moved that consideration of the Senate amendments to HB 326 on second reading be passed for the day. Motion carried.

Representative Donaldson moved that SB 103 be taken from the Committee on Appropriations and placed on third reading. Motion carried.

Representative Raney moved that Cohen and Russell be added as sponsors to HB 138. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 621 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Cobb, Giacometto, Raney, Thomas.

Total 4

Excused: Asay, DeMars, Gould, Moore.

Total 4

Absent or not voting: Harp, Hoffman, Poulsen.

Total 3

HB 678 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady,

Hansen, Hanson, Harper, Harrington, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Brandewie, D. Brown, Cobb, Grinde, Hannah, Hayne, Iverson, Meyers, Nathe, Rehberg, Wallin.

Total 11

Excused: Asay, DeMars, Gould, Moore.

Total 4

Absent or not voting: Harp, Hoffman, Poulsen.

Total 3

SB 109 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Daily, Grinde, Hayne, Swysgood.

Total 4

Excused: Asay, DeMars, Gould, Moore.

Total 4

Absent or not voting: Harp.

Total 1

SB 188 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Hannah, Swift.

Total 2

Excused: Asay, DeMars, Gould, Moore.

Total 4

Absent or not voting: Bulger, Harp.

Total 2

SB 237 concurred in as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 76

Noes: D. Brown, Cobb, Cody, Darko, Driscoll, Hansen, Kadas, McCormick, Menahan, Miles, Nisbet, Peck, Raney, Russell, Schye, Squires, Strizich, Whalen.

Total 18

Excused: Asay, DeMars, Gould, Moore.

Total 4

Absent or not voting: Bardanouve, Winslow.

Total 2

Representative Gould present at this time.

SB 247 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Devlin, Hannah, Raney.

Total 3

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 260 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Hoffman.

Total 1

SB 263 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cobb, Cody, Fritz, Kadas, Rapp-Svrcek.

Total 5

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 274 concurred in as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Bardanouve, D. Brown, Cody, Cohen, Hoffman, Koehnke, Meyers, Peterson, Pistoria, Poff, Schye, Whalen.

Total 12

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 277 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Campbell, Hannah, Jenkins, Stang, Whalen.

Total 5

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 287 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Brandewie, Cobb, Harrington, Meyers, Pavlovich, Rapp-Svrcek, Ream.

Total 7

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Grinde.

Total 1

SB 294 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert,

Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Campbell, Devlin, Hannah, Nathe, Peck, Stang.

Total 6

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 309 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 326 concurred in as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Bardanouve, Compton, Devlin, Hannah, Hanson, Keller, Menke, Meyers, Peck, Poulsen, Rapp-Svrcek, Sales, Smith, Stratford, Switzer, Thomas.

Total 16

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 327 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 364 concurred in as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, Bulger, Campbell, Daily, Driscoll, Fritz, Giacometto, Glaser, Gould, Grady, Hanson, Harrington, Holliday, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nisbet, O'Connell, Patterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Schye, Simon, Smith, Spaeth, Stang, Strizich, Swysgood, Whalen, Williams.

Total 49

Noes: Bardanouve, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Ellison, Eudaily, Gilbert, Grinde, Hannah, Hansen, Harp, Harper, Hayne, Hoffman, Iverson, Keller, Koehnke, Menke, Mercer, Meyers, Nathe, Nelson, Peck, Peterson, Poff, Raney, Rapp-Svrcek, Russell, Sales, Sands, Squires, Stratford, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 47

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Pavlovich.

Total 1

SB 367 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert,

Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Vincent, Wallin, Whalen, Williams, Winslow.

Total 85

Noes: Campbell, Ellison, Gould, Meyers, Nathe, Peterson, Sales, Switzer, Swysgood, Thoft, Thomas, Mr. Speaker.

Total 12

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 368 concurred in as follows:

Ayes: Addy, Bardanoue, Bradley, Brandewie, J. Brown, Campbell, Compton, Darko, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Bachini, D. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Kennerly, Koehnke, McCormick, Miles, Nisbet, Ream, Russell, Schye, Squires, Stang, Whalen.

Total 26

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 382 concurred in as follows:

Ayes: Addy, Bachini, Bardanoue, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cobb, Hansen, Whalen.

Total 3

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SJR 11 concurred in as follows:

Ayes: Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Addy, Bachini, Bulger, Cohen, Driscoll, Grinde, Koehnke, Lory, Nisbet, Raney, Strizich, Whalen.

Total 12

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: McCormick.

Total 1

SJR 12 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Devlin, Glaser, Grinde, Lory, Meyers, Nathe, Switzer, Swysgood.

Total 8

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Rapp-Svrcek in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 700 - Representative Cobb moved that HB 700, second reading copy, be amended as follows:

1. Title, line 24.

Following: "FUND;"

Insert: "PROVIDING FOR AUDITS OF THE BOARD;"

2. Title, line 25.

Following: "17-7-502"

Strike: "AND"

Insert: ", 90-3-203,"

Following: "90-3-302,"

Insert: "AND 90-3-304,"

3. Page 19.

Following: line 4

Insert: "Section 22. Section 90-3-203, MCA, is amended to read:

"90-3-203. Powers and duties of board. The board shall:

(1) establish policies and priorities that will expand and develop the use of science and technology for economic development in Montana;

(2) provide technical assistance for the transfer of technology to Montana businesses in order to encourage the use of new technology by Montana business and industry;

(3) make technology investments in technology development projects in the following areas that have short- or long-term potential to stimulate economic development in Montana:

(a) research capability development;

(b) applied technological research;

(c) technology assistance and transfer; and

(d) seed capital awards for development and commercialization of new products and processes;

(4) accept grants or receive devises of money or property to be used in Montana for investments described in this chapter;

(5) submit to the governor and the legislature a report describing the board's programs and accomplishments by November 1 of each even-numbered year or at the request of the governor; and

(6) adopt rules necessary to implement the provisions of this chapter, including but not limited to rules:

(a) governing the conduct of board business;

(b) establishing matching fund requirements for capability, basic research, and seed capital investment programs;

(c) establishing criteria for determining the eligibility of projects and programs for technology investments; and

(d) establishing methods of committing funds, types and amounts of fees, and types of research investments to be made; and

(7) adopt specific goals and objectives for each program administered by the board."

Renumber: subsequent sections

4. Page 19.

Following: line 23

Insert: "Section 24. Section 90-3-304, MCA, is amended to read:

"90-3-304. Accountability — audits. (1) The board shall develop independent review and audit procedures to ensure that investments made by it are used for the purposes identified in its investment agreements.

(2) The board's technology investment agreements must contain provisions considered necessary by the board to ensure the proper inspection and review of projects, the attainment of project goals, and the maintenance of adequate financial records by recipients of board funds.

(3) The board's books and records must be audited by or at the direction of the legislative auditor. The legislative auditor must conduct a performance audit of the board's goals, objectives, and statutory duties prior to the 51st legislative session and at such times as determined necessary by the legislative audit committee. The actual costs of audits must be paid from the board's funds."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Schye, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Nathe, Ramirez, Rehberg, Sands, Simon, Spaeth.

Total 6

Representative Bradley moved that HB 700, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth,

Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: D. Brown, Sands.

Total 2

HB 743 - Representative Sales moved that HB 743 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 85

Noes: Cody, Giacometto, Hannah, Hoffman, Meyers, Poff, Strizich, Swift.

Total 8

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Menke, Nathe, Pavlovich, Mr. Speaker.

Total 4

HB 751 - Representative Winslow moved that HB 751, second reading copy, be amended as follows:

1. Page 1, lines 19 and 20.

Strike: "FOR A PERIOD OF AT LEAST 12 CONSECUTIVE MONTHS,"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow.

Total 88

Noes: Cohen, Williams.

Total 2

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Brandewie, D. Brown, Driscoll, Grady, Harp, Whalen, Mr. Speaker.

Total 7

Representative Winslow moved that HB 751, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: D. Brown, Grady.

Total 2

HB 791 - Representative Strizich moved that HB 791 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cobb, Kadas, Rapp-Svrcek.

Total 3

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Hannah.

Total 1

HB 795 - Representative Gilbert moved that HB 795 do pass. Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily,

Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Bachini, Nathe, Peck, Whalen.

Total 4

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 14 - Representative Roth moved that SB 14 be concurred in. Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Bachini, Cobb, Devlin, Hannah, Jenkins, Koehnke, Mercer, Meyers, Miles, Peck, Peterson, Poff, Sales, Whalen.

Total 14

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 20 - Representative Mercer moved that SB 20 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, Pavlovich, Peterson, Phillips, Pistoria, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 78

Noes: Campbell, Cody, Driscoll, Ellison, Glaser, Grinde, Jones, Menke, Miller, O'Connell, Patterson, Peck, Poff, Poulsen, Sands, Swysgood, Thoft, Williams.

Total 18

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Quilici.

Total 1

SB 40 - Representative Bulger moved that SB 40 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Hannah.

Total 1

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: O'Connell, Quilici.

Total 2

SB 68 - Representative Lory moved that SB 68 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: O'Connell, Sales.

Total 2

SB 94 - Representative J. Brown moved that SB 94 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Hoffman, Patterson, Swift, Swysgood.
Total 4

Excused: Asay, DeMars, Moore.
Total 3

Absent or not voting: Bulger, O'Connell, Poulsen.
Total 3

SB 104 - Representative Stang moved that SB 104 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Cody, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 76

Noes: D. Brown, Bulger, Campbell, Cobb, Cohen, Driscoll, Kadas, Kitselman, Menahan, Nisbet, Peterson, Rapp-Svrcek, Roth, Sales, Squires, Strizich, Thomas, Whalen.
Total 18

Excused: Asay, DeMars, Moore.
Total 3

Absent or not voting: O'Connell, Poulsen, Switzer.
Total 3

SB 128 - Representative Cody moved that SB 128 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney,

Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Cobb, Meyers, Swysgood.

Total 3

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Kennerly, O'Connell, Poulsen.

Total 3

SB 133 - Representative Stang moved that SB 133 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Sales.

Total 1

HB 3 - Representative Donaldson moved that Senate amendments to HB 3 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cobb, Glaser, Hannah, Patterson, Roth.

Total 5

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: None.

Total 0

HB 13 - Representative Mercer moved that Senate amendments to HB 13 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Roth, Sands.

Total 2

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Harper, O'Connell.

Total 2

HB 42 - Representative Cobb moved that Senate amendments to HB 42 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Whalen.

Total 1

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Ellison, Harper, O'Connell.

Total 3

HB 64 - Representative Hanson moved that Senate amendments to HB 64 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel,

Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 80

Noes: Bulger, Campbell, Cobb, Giacometto, Grinde, Jenkins, Kadas, Keller, Miles, Peck, Peterson, Stang, Swysgood.

Total 13

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Daily, Ellison, Fritz, Harper.

Total 4

HB 67 - Representative Pavlovich moved that Senate amendments to HB 67 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 93

Noes: Sales.

Total 1

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Harper, Switzer, Mr. Speaker.

Total 3

HB 130 - Representative Driscoll moved that Senate amendments to HB 130 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Asay, DeMars, Moore.

Total 3

Absent or not voting: Ellison, Nathe.

Total 2

HB 134 - Representative Addy moved that consideration of Senate amendments to HB 134 be passed for the day. Motion carried.

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rapp-Svrcek moved the adoption of the committee report. Report adopted. (88-7)

MOTIONS

Representative Sands moved that he be allowed to be shown as voting yes on all bills on third reading this day with the exception of SB 364, on which he would like to be recorded as no. He was on the phone and was unaware third reading was going to be moved ahead of second reading. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 2:30 p.m., March 17, 1987.

Motion carried.

House adjourned at 5:03 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

FIFTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 17, 1987

House Chambers
State Capitol

House convened at 2:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Keenan. Pledge of Allegiance to the Flag.

Roll call. All members present except Daily, Harrington, Pavlovich, and Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fifty-eighth legislative day, find the same to be correct.

Hayne, Chairman

SPECIAL ORDERS OF THE DAY

In honor of St. Patrick's Day the House was treated to a collection of traditional Irish melodies performed by Irish tenor Jon Lokowich.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following representatives to the Administrative Code Committee:

Representative Les Kitselman
Representative Budd Gould
Representative Kelly Addy
Representative Dorothy Cody

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/17/87

Correctly printed: HB 222, HB 409, HB 709.

Correctly engrossed: HB 700, HB 743, HB 751, HB 791, HB 795, SB 14, SB 20, SB 40, SB 68, SB 94, SB 104, SB 128, SB 133.

Correctly enrolled: HB 117, HB 142, HB 197, HB 232, HB 301, HB 308, HB 343, HB 413, HB 516, HB 517, HB 585, HB 624, HB 717, HJR 14.

Examined by the sponsor and found to be correct:

HB 117 - Hanson	HB 516 - Manuel
HB 142 - Harper	HB 517 - Manuel
HB 197 - Grady	HB 585 - Bradley
HB 232 - Thomas	HB 624 - M. Williams
HB 308 - Miles	HB 717 - J. Brown
HB 343 - Donaldson	HJR 14 - Donaldson
HB 413 - Brandewie	

Signed by the Speaker at 4:30 p.m., 3/16/87: HB 37, HB 80, HB 93, HB 129, HB 131, HB 189, HB 235, HB 248, HB 374, HB 476, HB 489, HB 563, HB 635, HB 692, HB 734.

Signed by the Speaker at 3:45 p.m.: HB 117, HB 142, HB 197, HB 232, HB 308, HB 343, HB 413, HB 516, HB 517, HB 585, HB 624, HB 717, HJR 14.

BUSINESS AND LABOR (Kitselman, Chairman):

3/17/87

HB 862, do pass. Report adopted.

SB 118, third reading copy, be amended as follows:

1. Title, line 7.

Following: "EMPLOYER:"

Insert: "CREATE THE CRIMINAL OFFENSE OF EMPLOYER MISCONDUCT; IMPOSE PENALTIES FOR THE COMMISSION OF EMPLOYER MISCONDUCT; PROVIDING AN IMMEDIATE EFFECTIVE DATE;"

2. Page 2.

Following: line 7

Insert: "NEW SECTION. Section 2. Employer misconduct. (1) A person who is an employer, as defined in 39-71-117, commits the offense of employer misconduct if he knowingly or purposely:

(a) avoids his responsibility to provide coverage for his employees as required by 39-71-401;

(b) misrepresents or falsifies employment records or information, including but not limited to, understating the amount of payroll or the number of his employees; or

(c) refuses to pay premiums that he is obligated to pay under compensation plan No. 2, as provided in Title 39, chapter 71, part 22, or compensation plan No. 3, as provided in Title 39, chapter 71, part 23.

(2) A person convicted of the offense of employer misconduct shall be fined an amount not to exceed \$50,000 or imprisoned in the state prison for any term not to exceed 10 years, or both."

Renumber: subsequent section

3. Page 2.

Following: line 11

Insert: "NEW SECTION. Section 4. Codification instruction. Section 2 is intended to be codified as an integral part of Title 45, chapter 7, and the provisions of Title 45, chapter 7, apply to section 2.

NEW SECTION. Section 5. Effective date. This act is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

SB 222, be concurred in. Report adopted.

SB 374, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman):

3/17/87

HJR 43, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "REQUIRING"

Insert: "REQUESTING"

2. Page 1, line 19.

Strike: "any"

Insert: "most"

Strike: "program"

Insert: "programs"

3. Page 2, line 9.

Strike: "in an institutional setting"

4. Page 2, line 19.

Strike: "and"

5. Page 2, line 22.

Following: "citizens"

Insert: “; and

(6) incentives the state could offer to individuals and families for the purchase of the long-term care insurance”

And, as amended, do pass. Report adopted.

SB 252, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman):

3/17/87

SB 96, be concurred in. Report adopted.

SB 102, third reading copy, be amended as follows:

1. Title, line 7.

Following: “PROVIDING”

Insert: “A RETROACTIVE APPLICABILITY DATE AND”

2. Page 2, line 19.

Strike: “measured”

3. Page 2, lines 21 and 22.

Strike: “that” on line 21 through “rate” on line 22

4. Page 2, line 23.

Following: “as”

Insert: “stockpond and”

5. Page 2, line 24.

Strike: “that have historically been measured by volume”

Insert: “and for rights that are not susceptible to measurement by flow rate”

6. Page 2, line 25 through line 1, page 3.

Strike: “have” on page 2, line 25 through “volume” on line 1, page 3

Insert: “a water judge determines require both volume and flow rate to adequately administer the right”

7. Page 4.

Following: line 4

Insert: “NEW SECTION. Section 2. Applicability. This act applies retroactively, within the meaning of 1-2-109, to all decrees issued by a water judge under Title 85, chapter 2, part 2, after April 30, 1982.”

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SB 114, be concurred in. Report adopted.

SB 306, be concurred in. Report adopted.

Adverse Committee Reports

SB 108, be not concurred in.

STATE ADMINISTRATION (Sales, Chairman):

3/17/87

SB 136, third reading copy, be amended as follows:

1. Title, line 9.

Strike: “STATE”

Insert: “PUBLIC”

2. Title, line 13.

Strike: “, 2-18-612,”

Insert: “AND”

3. Title, lines 13 and 14.

Strike: “AND” on line 13 and “19-3-501,” on line 14

4. Title, line 15.

Strike: "AND"

Insert: ", "

Following: "EFFECTIVE DATE"

Insert: ", AND A TERMINATION DATE"

5. Page 2, line 19.

Strike: "A STATE"

Insert: "An"

6. Page 3, line 1 through line 12, page 4.

Strike: section 2 in its entirety

Renumber: subsequent sections

7. Page 6, line 14.

Strike: "A STATE"

Insert: "An"

8. Page 6, line 22 through line 20, page 7.

Strike: sections 4 and 5 in their entirety

Insert: "NEW SECTION. Section 3. Rules on reduction in hours resulting from budget deficit. (1) Notwithstanding the provisions of this chapter, the board shall adopt rules providing that a member whose hours have been temporarily reduced as a result of a budget deficit receives the same retirement allowance as if the reduction had not occurred.

(2) Rules adopted under this section apply retroactively to members whose hours were reduced from 40 hours a week to less than 40 hours a week on or after July 1, 1986, but whose hours were restored to 40 hours a week before July 1, 1989."

Renumber: subsequent sections

9. Page 8, line 2.

Strike: "5"

Insert: "3"

10. Page 8, line 3.

Strike: "4,"

Strike: "2 AND 8"

Insert: "through 9, and 13"

11. Page 8, line 4.

Strike: "4,"

Strike: "2 AND 8"

Insert: "through 9, and 13"

12. Page 8, line 5.

Strike: "5"

Insert: "3"

13. Page 8, lines 8 and 9.

Strike: "OF" on line 8 through "AGENCIES" on line 9

Insert: "as defined in 2-18-601"

14. Page 8, lines 11 and 12.

Strike: "of" on line 11 through "agencies" on line 12

15. Page 8, line 13.

Following: "date"

Insert: "— termination date"

16. Page 8, line 14.

Following: "approval"

Insert: "and terminates June 30, 1989"

Committee attached the following statement of intent:

Statement of Intent

SB 136

A statement of intent is required for this bill because it authorizes the public employees' retirement board to adopt rules providing that a retirement system member whose hours have been temporarily reduced as a result of a budget deficit receives the same retirement benefits as if the reduction had not occurred. The legislature intends that public employees suffer no loss of retirement benefits because reduced work hours are instituted to avoid employee layoffs. The legislature directs the board to develop equitable procedures for protecting retirement benefits for members of the public employees', Montana highway patrolmen's, sheriffs', Montana state game wardens', municipal police officers', and Montana unified firefighters' retirement systems.

And, as amended, be concurred in. Report adopted.

SB 357, be concurred in. Report adopted.

SB 365, third reading copy, be amended as follows:

1. Title, line 9.

Following: "BENEFIT;"

Insert: "LIMITING A MEMBER'S SERVICE RETIREMENT
ALLOWANCE TO 80 PERCENT OF FINAL SALARY;"

2. Page 1, line 23.

Following: "thereafter"

Insert: " , not to exceed 80% of final salary"

3. Page 2, line 9.

Strike: "\$5"

Insert: "\$6"

4. Page 2, line 21.

Strike: "\$5"

Insert: "\$6"

5. Page 2, line 25.

Strike: "\$5"

Insert: "\$6"

6. Page 3, line 2.

Strike: "\$5"

Insert: "\$6"

7. Page 4, line 20.

Strike: "\$5"

Insert: "\$6"

8. Page 5, line 3.

Strike: "\$5"

Insert: "\$6"

9. Page 5, line 7.

Strike: "\$5"

Insert: "\$6"

10. Page 5, line 9.

Strike: "\$5"

Insert: "\$6"

11. Page 7, line 1.

Strike: "\$5"

Insert: "\$6"

And, as amended, be concurred in. Report adopted.

TAXATION (Ramirez, Chairman):

3/17/87

HB 84, introduced bill, be amended as follows:

1. Title, line 6.

Following: "ACCOMMODATIONS"

Insert: "AND SIMILAR FACILITIES"

2. Title, line 10.

Following: "LOCATION"

Insert: ", TO THE MONTANA HISTORICAL SOCIETY FOR
ROADSIDE HISTORICAL SIGNS AND HISTORIC SITES, AND
TO THE UNIVERSITY SYSTEM FOR A MONTANA TRAVEL
RESEARCH PROGRAM"

3. Title, line 11.

Following: "COUNCIL;"

Insert: "PROVIDING FOR APPROPRIATIONS;"

4. Page 1.

Following: line 17

Insert: "(1) "Accommodation charge" means the fee charged by the
owner or operator of a facility for use of the facility for lodging,
including bath house facilities, but excluding charges for meals,
transportation, entertainment, or any other similar charges."

Renumber: subsequent subsections

5. Page 1, line 19.

Strike: "7"

Insert: "9"

6. Page 1, line 20.

Strike: "'Hotel" or "motel"'"

Insert: "'Facility'"

7. Page 1, line 24.

Following: "motel,"

Insert: "campground,"

8. Page 2, lines 2 and 3.

Following: "include" on line 2

Strike: "a roominghouse, retirement home, hospital,"

Insert: "any health care facility, as defined in 50-5-101, any facility
owned by a corporation organized under Title 35, chapter 2 or 3,
that is used primarily by persons under the age of 18 years for camp-
ing purposes,"

9. Page 2, line 3.

Following: "or"

Insert: "any"

10. Page 2, lines 3 and 4.

Following: "rented"

Strike: "on other than a daily or weekly basis"

Insert: "solely on a monthly basis or for a period of 30 days or more"

11. Page 2, lines 23 and 24.

Following: "user of a" on line 23

Strike: "hotel, motel, or tourist campground"

Insert: "facility"

12. Pages 2 and 3.

Following: "by the" on line 25, page 2

Strike: "hotel, motel, or campground"

Insert: "facility"

13. Page 3, lines 2 through 7.

Strike: subsection (2) in its entirety

Re-number: subsequent subsection

14. Page 3, line 11.

Strike: "hotel, motel, or campground"

Insert: "facility"

15. Page 3, line 17.

Strike: "hotel, motel, or campground"

Insert: "facility"

16. Page 3.

Following: line 20

Insert: "NEW SECTION. Section 4. Audits — records. (1) The department of revenue may audit the books and records of any owner or operator to ensure that the proper amount of tax imposed by [section 2] has been collected. An audit may be done on the premises of the owner or operator of a facility or at any other convenient location.

(2) The department may request the owner or operator of a facility to provide the department with books, ledgers, registers, or other documents necessary to verify the correct amount of tax.

(3) The owner or operator of a facility shall maintain and have available for inspection by the department books, ledgers, registers, or other documents showing the collection of accommodation charges for the preceding 5 years.

NEW SECTION. Section 5. Registration number — application to department. (1) The owner or operator of a facility shall apply to the department of revenue for a registration number.

(2) The application must be made on a form provided by the department.

(3) Upon completion of the application and delivery of the application to the department, the department must assign a registration number to the owner, operator, or facility, as appropriate."

Re-number: subsequent sections

17. Page 3, lines 22 and 23.

Following: "of a"

Strike: "hotel, motel, or campground"

Insert: "facility"

18. Page 4, line 12.

Strike: "estimate"

Insert: "determine"

19. Page 4, line 15.

Strike: "5/6 of"

Following: "a month"

Insert: "or part thereof"

20. Page 4, line 21.

Strike: "may spend from"

Insert: "is statutorily appropriated, as provided in 17-7-502, 2% of"

21. Page 4, line 22.

Strike: "in accordance with an expenditure appropriation by"

Strike: "the legislature based on an estimate of"

Insert: "each reporting period for"

22. Page 5, line 1.

Following: "the"

Strike: "expenditure"

Insert: "statutory"

Following: "appropriation"

Insert: "for collection and disbursement"

23. Page 5, line 2.

Strike: "are"

Insert: "is"

24. Page 5, line 9.

Strike: "25%"

Insert: "21.5%"

25. Page 5, line 13.

Strike: "25%"

Insert: "21.5%"

26. Page 5, line 15.

Strike: "80%"

Insert: "50%"

27. Page 5, line 19.

Following: "city-county"

Insert: ";

(d) 1% to the Montana historical society to be used for the installation or maintenance of roadside historical signs and historic sites; and

(e) 2.5% to the university system for the establishment and maintenance of a Montana travel research program"

28. Page 5, line 24.

Strike: "6"

Insert: "8"

29. Page 6, line 4.

Strike: "6"

Insert: "8"

30. Page 6, line 17.

Strike: "5"

Insert: "7"

31. Page 10, line 13.

Strike: "5"

Insert: "7"

32. Pages 10 and 11, line 25.

Strike: section 9 in its entirety

Insert: "NEW SECTION. Section 11. Rulemaking authority. The department of revenue shall adopt such rules as may be necessary to implement and administer [this act]."

NEW SECTION. Section 12. Rulemaking authority. The department of commerce shall adopt such rules as may be necessary to implement and administer [this act]."

Renumber: subsequent sections

33. Page 11, line 5.

Strike: "6"

Insert: "8 and 11"

34. Page 11, line 7.

Strike: "6"

Insert: "8 and 11"

35. Page 11, line 8.

Strike: "Section 7 is"

Insert: "Sections 9 and 12 are"

36. Page 11, line 10.

Strike: "section 7 is"

Insert: "sections 9 and 12"

37. Page 11.

Following: line 10

Insert: "NEW SECTION. Section 14. Coordination instruction. If either Senate Bill No. 55 or a bill authorizing a local option sales tax of 3% or more is passed and approved, the percentage rate of tax in section 2 is amended to be reduced from 4% to 3%."

NEW SECTION. Section 15. Appropriation. (1) The department of revenue is authorized, as provided in 17-2-107(2) to obtain a general fund loan in fiscal year 1987 and repay such loan in fiscal year 1988 for startup costs associated with the administration of this act. The loan may not exceed \$120,000.

(2) There is hereby appropriated from the state special revenue fund to the credit of the department of revenue up to \$120,000 in fiscal year 1988 to repay the amount of any general fund loan obtained by the department of revenue in fiscal year 1987."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 658, introduced bill, be amended as follows:

1. Title, line 10.

Strike: "A RETROACTIVE"

Insert: "AN"

2. Page 9, lines 23 and 24.

Following: "owned" on line 23

Strike: "or taxable"

3. Page 10, line 1.

Strike: "\$1"

Insert: "\$2"

4. Page 15, line 24.

Following: "motorboat"

Insert: "at least"

Following: "length"

Strike: "to 13"

5. Page 15.

Following: line 24

Strike: "feet 11 inches"

Insert: "but less than 14 feet"

Following: "sailboat"

Insert: "at least"

Following: "12 feet"

Strike: remainder of line 25 in its entirety

6. Page 16, line 1.

Strike: "inches"

Insert: "in length but less than 14 feet"

7. Page 16, line 2.

Following: "sailboat"

Insert: "at least"

Following: "feet"

Strike: "to 15"

8. Page 16.

Following: line 2

Strike: "feet 11 inches"

Insert: "in length but less than 16 feet"

9. Page 16, line 4.

Following: "sailboat"

Insert: "at least"

Following: "feet"

Strike: "to 16"

10. Page 16.

Following: line 4

Strike: "feet 11 inches"

Insert: "in length but less than 17 feet"

11. Page 16, line 6.

Following: "sailboat"

Insert: "at least"

Following: "feet"

Strike: "to 18"

12. Page 16.

Following: line 6

Strike: "feet 11 inches"

Insert: "in length but less than 19 feet"

13. Page 16, line 21.

Strike: "50% of"

Insert: "five times"

14. Page 17, line 18.

Following: "1,"

Strike: "1987"

Insert: "1988"

And, as amended, do pass. Report adopted.

HB 730, introduced bill, be amended as follows:

1. Title, line 5.

Following: "AND"
Strike: "VESSELS"
Insert: "CERTAIN SAILBOATS"

2. Page 1, line 11.

Following: "subsection"

Strike: "(7)"

Insert: "(9)"

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

3. Page 1, line 16.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

4. Page 1, line 17.

Following: "ownership"

Insert: "and a certificate of number"

5. Page 2, line 3.

Following: "number;"

Strike: "and"

6. Page 2, line 5.

Following: "acquired"

Strike: "."

Insert: ", if known; and"

(j) such other information as the department of justice may require.

(3) The application is to be accompanied by documentation of ownership, such as an invoice, bill of sale, foreign title, official certificate of boat number, tax receipt, certification from the department of revenue that the motorboat or sailboat 12 feet in length or longer is listed with the applicant's taxable property, or a certificate of ownership of a trailer purchased with the motorboat or sailboat. An applicant who fails to provide such proof of ownership shall provide a certified statement describing how the motorboat or sailboat 12 feet in length or longer was acquired, from whom acquired if known, and other information requested by the department of justice."

Renumber: subsequent subsection

7. Page 2, line 10.

Following: "motorboats or"

Strike: "vessels"

Insert: "sailboats 12 feet in length or longer"

8. Page 2.

Following: line 12

Insert: "(5) Any motorboat or sailboat 12 feet in length or longer that does not have a manufacturer's or other identifying number thereon must be assigned an identification number by the department of fish, wildlife, and parks. A fee of \$1 must be paid to the department for an assignment of number."

Renumber: subsequent subsections

9. Page 2.

Following: line 14

Insert: "certificate of number"

10. Page 2, line 17.

Following: "application"

Insert: "for a certificate of ownership"

11. Page 2, line 22.

Following: "permanent"

Strike: "ownership"

Insert: "boat"

12. Page 3, line 10.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

13. Page 3, line 13.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

14. Page 3, line 14.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

15. Page 3, line 15.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

16. Page 4, line 1.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

17. Page 4, line 4.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

18. Page 4, line 12.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

19. Page 4, line 23.

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

20. Page 5, line 1.

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

21. Page 5, line 5.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

22. Page 5, line 9.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

23. Page 5, line 10.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

24. Page 5, line 12.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

25. Page 5, line 13.

Strike: "hull identification number"

26. Page 5.

Following: line 16

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

27. Page 5, line 21.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

28. Page 5, line 22.

Following: "motorboat or"

Strike: "vessel"

Insert: "sailboat 12 feet in length or longer"

29. Page 6, line 18.

Following: "the"

Strike: "county treasurer, with a copy forwarded to the"

30. Page 6, line 20.

Following: "or"

Strike: "vessel"

Insert: "or sailboat 12 feet in length or longer"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

3/16/87

HB 846, do not pass. Vice-Chairman Asay moved to adopt the committee report. Representative Hoffman made a substitute motion that the committee report be rejected and the bill be printed and placed on second reading. Motion carried. (64-34)

SB 47, be not concurred in. Chairman Ramirez moved to adopt the committee report. Motion carried as follows:

Ayes: Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Addy, Asay, D. Brown, Harper, Kadas, Kennerly, Nisbet, Rapp-Svrcek, Russell, Vincent.

Total 10

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: Connelly, Menahan, Schye.

Total 3

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 17, 1987

Dear Speaker Marks:

Please be informed that I signed House Bills No. 228, 254, 278, 440, and 441 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/16/87

HB 196, introduced by Miles

HB 408, introduced by Iverson

HB 450, introduced by Pistoria

HB 461, introduced by Corne'

HB 536, introduced by Devlin

HB 747, introduced by Gould

HB 755, introduced by Cobb

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/16/87

HB 19, introduced by Mercer

HB 388, introduced by Asay

HB 682, introduced by Spaeth

HB 792, introduced by Wallin

HB 815, introduced by Hanson

House bills not concurred in and returned to the House:

3/16/87

HB 435, introduced by Brandewie

HB 800, introduced by Rapp-Svrcek

MOTIONS

Representative Peck moved that HB 291 be taken from the table in the Committee on Appropriations and printed and placed on second reading, as it deals with the 55 mph speed limit. Motion carried. (80-11)

Representative Raney moved that Kennerly, Hansen, Spaeth, Darko, D. Brown, Strizich, Bachini, Peck, McCormick, and Pistoria be added as sponsors to HB 138. Motion carried.

Representative Stratford moved that consideration of SB 176 on second reading be passed for the day for amendment. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 886, introduced by Winslow, Bradley, Switzer, (By Request of the House Appropriations Committee). Referred to Committee on Human Services.

HJR 45, introduced by Winslow. Referred to Committee on Human Services.

The following Senate bills were introduced, read first time, and referred to committees:

SB 12, introduced by Aklestad. Referred to Committee on Taxation.

SB 383, introduced by Gage. Referred to Committee on Taxation.

SB 390, introduced by McCallum. Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 185 - Representative Miles moved that SB 185 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: Bardanouve, Hannah, Simon.

Total 3

SB 186 - Representative Thomas moved that SB 186 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: Bardanouve, Fritz.

Total 2

Representative Addy excused at this time.

SB 196 - Representative Eudaily moved that SB 196 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 88

Noes: Giacometto, Jones, Smith, Stang, Swift.

Total 5

Excused: Addy, Daily, Harrington, Moore, Pavlovich.

Total 5

Absent or not voting: Bardanouve, Mr. Speaker.

Total 2

Representative Addy present at this time.

SB 206 - Representative Hansen moved that SB 206 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell,

Sales, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 81

Noes: D. Brown, Campbell, Cobb, Cody, Driscoll, Giacometto, Jenkins, Koehnke, Miller, Patterson, Sands, Stang, Swysgood, Whalen.

Total 14

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: Thomas.

Total 1

Representative Bardanouve excused at this time.

SB 214 - Representative Gould moved that SB 214 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Cobb, Driscoll, Miles, Whalen.

Total 4

Excused: Bardanouve, Daily, Harrington, Moore, Pavlovich.

Total 5

Absent or not voting: Thomas.

Total 1

SB 231 - Representative Stang moved that SB 231 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 85

Noes: Brandewie, Grady, Harp, Hayne, Keller.

Total 5

Excused: Bardanouve, Daily, Harrington, Moore, Pavlovich.

Total 5

Absent or not voting: D. Brown, Cobb, Poulsen, Thomas, Winslow.
Total 5

SB 232 - Representative Lory moved that SB 232 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Bardanouve, Daily, Harrington, Moore, Pavlovich.
Total 5

Absent or not voting: Quilici.
Total 1

SB 249 - Representative Addy moved that SB 249 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Campbell, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 88

Noes: Cobb, Cody, Driscoll, Whalen.
Total 4

Excused: Bardanouve, Daily, Harrington, Moore, Pavlovich.
Total 5

Absent or not voting: D. Brown, Bulger, Poulsen.
Total 3

Representative Iverson in the Chair.

SB 282 - Representative Darko moved that SB 282 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne,

Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Driscoll, Whalen.

Total 2

Excused: Bardanouve, Daily, Harrington, Moore, Pavlovich.

Total 5

Absent or not voting: D. Brown.

Total 1

SB 292 - Representative Gilbert moved that SB 292, third reading copy, be amended as follows:

Statement of Intent
SB 292

A statement of intent is required for this bill in order to provide guidance to the board of natural resources and conservation concerning the board's authority to make rules on the provisions of the Montana Major Facility Siting Act that are affected by this bill.

Section 5 amends the board's decision standard concerning adverse environmental impact. The term "minimizes" is substituted for the existing qualifying phrase "represents the minimum". This amendment is consistent with the historical practice and interpretation of the board in carrying out its functions under the siting act. It is the intent of the legislature that the board's rules and regulations in effect at the time of the enactment of this bill represent reasonable rules implementing and interpreting the decision standard as amended by this bill.

Statement of Intent was adopted as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Hansen.

Total 1

Excused: Bardanouve, Daily, Harrington, Moore, Pavlovich.

Total 5

Absent or not voting: Corne'.

Total 1

Representative Gilbert moved that SB 292, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, J. Brown, Campbell, Cobb, Compton, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 66

Noes: Bardanouve, Bradley, Bulger, Cody, Cohen, Connelly, Darko, DeMars, Driscoll, Fritz, Hansen, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Nisbet, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Strizich, Whalen.

Total 27

Paired: Hannah, Aye; Bardanouve, No.

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: D. Brown, Hanson, Stratford.

Total 3

Representative Gilbert in the Chair.

SB 299 - Representative Wallin moved that SB 299 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Hannah, Whalen.

Total 2

Excused: Bardanouve, Daily, Harrington, Moore, Pavlovich.

Total 5

Absent or not voting: D. Brown.

Total 1

SB 305 - Representative Bulger moved that SB 305, third reading copy, be amended as follows:

1. Page 1, line 20.

Following: "patient"

Insert: "if the patient has no known medical problems"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bardanouve, Daily, Harrington, Moore, Pavlovich.

Total 5

Absent or not voting: Quilici.

Total 1

Representative Corne' moved that SB 305, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Bardanouve, Daily, Harrington, Moore, Pavlovich.

Total 5

Absent or not voting: None.

Total 0

SB 313 - Representative Driscoll moved that SB 313 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford,

Strizich, Swift, Switzger, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 92

Noes: Cobb.

Total 1

Excused: Bardanouve, Daily, Harrington, Moore, Pavlovich.

Total 5

Absent or not voting: Manuel, Mr. Speaker.

Total 2

SB 356 - Representative Grady moved that SB 356 be concurred in. Representative Giacometto made a substitute motion that SB 356 be placed at the bottom of the second reading board. Motion carried.

HB 134 - Representative Addy moved that Senate amendments to HB 134 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Bardanouve, Daily, Harrington, Moore, Pavlovich.

Total 5

Absent or not voting: D. Brown, Devlin, Williams.

Total 3

HB 143 - Representative Harper moved that Senate amendments to HB 143 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 91

Noes: Driscoll, Kadas, Whalen.

Total 3

Excused: Bardanouve, Daily, Harrington, Moore, Pavlovich.

Total 5

Absent or not voting: Williams.

Total 1

HB 326 - Representative Addy moved that Senate amendments to HB 326 be concurred in.

Representative Bardanoue present at this time.

Representative Gould made a substitute motion that the Senate amendments to HB 326 be not concurred in. Motion carried as follows:

Ayes: Asay, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Stratford, Swift, Switzer, Swysgood, Thoft, Wallin, Winslow, Mr. Speaker.

Total 56

Noes: Addy, Bachini, Bardanoue, Bradley, Cohen, Connelly, Corne', Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Holliday, Kadas, Keenan, Kennerly, Manuel, Menahan, Miles, Nisbet, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Vincent, Whalen.

Total 36

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: D. Brown, Strizich, Thomas, Williams.

Total 4

HB 335 - Representative Pistoria moved that Senate amendments to HB 335 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanoue, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Hannah, Sands, Squires.

Total 3

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: D. Brown, Thomas, Williams.

Total 3

HB 439 - Representative Grady moved that Senate amendments and the Statement of Intent to HB 439 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 92

Noes: Hannah.

Total 1

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: D. Brown, Thomas, Williams.

Total 3

HB 591 - Representative Schye moved that Senate amendments to HB 591 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: D. Brown, Lory.

Total 2

HB 691 - Representative Bradley moved that Senate amendments to HB 691 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift,

Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: D. Brown, Poff.

Total 2

SB 149 - Representative Spaeth moved that SB 149 be placed at the top of the second reading board tomorrow because it is on the board but not on the agenda. Motion carried.

SB 356 - Representative Giacometto moved that SB 356, third reading copy, be amended. Representative Rapp-Svrcek made a substitute motion that the amendment be divided. The Chair ruled the amendment would be divided.

Section one of the amendment reads as follows:

1. Page 1, line 15.

Strike: "be"

Amendment passed as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, Bulger, Cobb, Cody, Compton, Connelly, Corne', DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Kennerly, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Patterson, Peck, Peterson, Phillips, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Winslow, Mr. Speaker.

Total 63

Noes: Addy, Bachini, D. Brown, J. Brown, Campbell, Cohen, Darko, Driscoll, Gould, Grady, Keenan, Keller, Kitselman, McCormick, Menahan, Miles, Nelson, Nisbet, O'Connell, Pistoria, Poff, Quilici, Raney, Russell, Schye, Spaeth, Squires, Stang, Wallin, Whalen, Williams.

Total 31

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: Jones, Poulsen.

Total 2

Section two of the amendment failed to pass.

Representative Grady moved that SB 256, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth,

Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Campbell, Fritz, Holliday, Jenkins, Koehnke, Patterson, Phillips, Swysgood.

Total 8

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: Driscoll.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (94-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 743 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Giacometto, Hannah, Meyers, Poff.

Total 4

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 791 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cobb, Kadas, Rapp-Svrcek.

Total 3

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: Bardanouve.

Total 1

HB 795 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Bachini, Cody, Nathe, Schye, Whalen.

Total 5

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

SB 14 concurred in as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Bachini, Cobb, Devlin, Driscoll, Jenkins, Koehnke, Mercer, Peck, Peterson, Poff, Sales, Whalen.

Total 12

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: Ellison.

Total 1

SB 20 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 75

Noes: Asay, Campbell, Cody, DeMars, Driscoll, Ellison, Glaser, Grinde, Hannah, Jones, Menke, Meyers, Miller, Nathe, Patterson, Poff, Poulsen, Sands, Swysgood, Thoft, Wallin.

Total 21

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

SB 40 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 92

Noes: Ellison, Peck, Quilici, Mr. Speaker.

Total 4

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

SB 68 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

SB 94 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Asay, Hoffman, Patterson, Swift, Swysgood.

Total 5

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

SB 103 concurred in as follows:

Ayes: Addy, Asay, Bardanouve, Brandewie, J. Brown, Campbell, Cody, Compton, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Bachini, Bradley, D. Brown, Bulger, Cobb, Cohen, Connelly, Corne', Driscoll, Hansen, Harper, Kadas, Kennerly, McCormick, Miles, Nisbet, Raney, Ream, Russell, Schye, Squires, Stang, Whalen.

Total 23

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: Poulsen, Smith, Strizich.

Total 3

SB 104 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman,

Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Phillips, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 78

Noes: Bulger, Campbell, Cobb, Cohen, Driscoll, Kadas, Kitselman, Meyers, Nisbet, Peterson, Poff, Poulsen, Rapp-Svrcek, Russell, Sales, Strizich, Thomas, Whalen.

Total 18

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

SB 128 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cobb, Meyers, Swysgood.

Total 3

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

SB 133 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: Lory.

Total 1

SB 141 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Grinde, Hansen, Harper, Hayne, Hoffman, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Nathe, Nisbet, O'Connell, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 72

Noes: Brandewie, Compton, Devlin, Ellison, Giacometto, Glaser, Gould, Grady, Hannah, Hanson, Harp, Jenkins, Jones, Kitselman, Koehnke, Mercer, Meyers, Nelson, Patterson, Peterson, Swift, Swysgood, Thoft, Thomas.

Total 24

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 3, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cobb, Driscoll, Patterson, Roth.

Total 4

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 13, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel,

Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Campbell, Roth.

Total 2

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: Peck.

Total 1

HB 21, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 80

Noes: Bradley, Campbell, Cobb, Cody, Cohen, Devlin, Ellison, Iverson, McCormick, Meyers, Quilici, Raney, Sales, Swysgood, Whalen.

Total 15

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: Keller.

Total 1

HB 42, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Kadas, Meyers, Whalen.

Total 3

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 64, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Bulger, Campbell, Cobb, Giacometto, Grinde, Hansen, Jenkins, Kadas, Peterson, Stang, Swysgood.

Total 11

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 67, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Hayne, Meyers, Raney, Sales.

Total 4

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: Hansen.

Total 1

HB 81, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift,

Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cobb, Raney, Whalen.

Total 3

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 130, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 267, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Campbell, Giacometto, Wallin.

Total 3

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

HB 452, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Driscoll.

Total 1

Excused: Daily, Harrington, Moore, Pavlovich.

Total 4

Absent or not voting: None.

Total 0

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate on the Senate amendments to HB 326. Motion carried.

Speaker appointed Representatives Gould, Mercer, and Addy to that conference committee.

Representative Jenkins moved that he be allowed to change his vote on SB 14 on third reading from yes to no. Motion carried.

Representative Swysgood moved that Fritz, Hoffman, Meyers, Patterson, Harp, Miller, Campbell, Winslow, Grinde, Keating, and Brandewie be added as sponsors to HB 885. Motion carried.

Representative Bradley moved that Boylan be added as sponsor to HB 881. Motion carried.

Representative Winslow moved that Thomas and Meyers be added as sponsors to HB 862. Motion carried.

Representative Winslow moved that the rules be suspended to allow the late drafting and introduction of a joint resolution giving guidance to PIC councils in the dispersion of JTPA funds. Motion carried.

Representative Donaldson moved that SB 253, which is scheduled for second reading tomorrow, be rereferred to the Committee on Appropriations for amendment. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 2:30 p.m., March 18, 1987.

Motion carried.

House adjourned at 5:30 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SIXTIETH LEGISLATIVE DAY

Helena, Montana
March 18, 1987

House Chambers
State Capitol

House convened at 2:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Koehnke. Pledge of Allegiance to the Flag.

Roll call. All members present except Moore and Rapp-Svrcek, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fifty-ninth legislative day, find the same to be correct.

Hayne, Chairman

SPECIAL ORDERS OF THE DAY

Jaymee Rickey, a Junior at Butte High School and the sixth place national winner of the 1987 Voice of Democracy Scholarship, was escorted to the rostrum by Representative Daily of Butte. The speech that she gave to the members was the speech that won her the scholarship in which over 300,000 students participated in nationwide.

MOTIONS

Representative Hannah moved that the House stand in recess until 3:30 p.m. for party caucuses. Motion carried.

House recessed at 2:45 p.m.

House reconvened at 4:55 p.m.

Mr. Speaker in the Chair.

Representatives Swysgood, Devlin, and Switzer excused at this time.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following representatives to the Memorial Committee:

Representative Mary Lou Peterson, Chairman

Representative Tonia Stratford

Representative Mel Williams

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/18/87

Correctly printed: HB 84, HB 658, HB 730, HB 846, HB 862, HJR 43.

Correctly engrossed: SB 185, SB 186, SB 196, SB 206, SB 214, SB 231, SB 232, SB 249, SB 282, SB 292, SB 299, SB 305, SB 313, SB 356.

Correctly enrolled: HB 196, HB 408, HB 450, HB 461, HB 536, HB 747, HB 755.

Delivered to the Governor for his approval at 10:22 a.m.: HB 37, HB 80, HB 93, HB 117, HB 129, HB 131, HB 142, HB 189, HB 197, HB 232, HB 235, HB 248, HB 308, HB 343, HB 374, HB 413, HB 476, HB 489, HB 516, HB 517, HB 563, HB 585, HB 624, HB 635, HB 692, HB 717, HB 734.

APPROPRIATIONS (Donaldson, Chairman):

3/18/87

HB 185, do pass. Report adopted.

HB 243, do pass. Report adopted.

HB 259, do pass. Report adopted.

HB 716, do pass. Report adopted.

HB 852, do pass. Report adopted.

SB 161, be concurred in. Report adopted.

SB 362, be concurred in. Report adopted.

SB 370, be concurred in. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman):

3/18/87

SB 210, third reading copy, be amended as follows:

1. Page 10.

Following: line 22

Insert: "NEW SECTION. Section 13. Coordination instruction. If Senate Bill No. 120 and this act are both passed and approved, the code commissioner shall add in Senate Bill No. 120 the words and punctuation "licensed professional counselor, licensed" on page 2, line 18, following "psychologist,."

And, as amended, be concurred in. Report adopted.

SB 213, third reading copy, be amended as follows:

1. Page 8, line 5.

Strike: "one"

Insert: "two"

2. Page 8, line 6.

Strike: "interest"

Insert: "interests"

3. Page 11, line 6.

Following: "LICENSED"

Insert: "as a real estate broker or salesperson"

4. Page 11, line 7.

Strike: "BECOME LICENSED"

Insert: "act"

5. Page 11, line 11.

Following: "APPLICANT."

Insert: "No license other than that issued pursuant to Title 37, chapter 51, is required."

Committee attached the following statement of intent:

Statement of Intent

SB 213

A statement of intent is required for this act because it delegates rule-making authority to the board of realty regulation. The board is authorized to adopt rules concerning:

- (1) licensing of timeshare brokers and timeshare salespersons;
- (2) information contained in applications for registration of timeshare offerings;
- (3) documents acceptable in lieu of registration documents;
- (4) conditions upon registration;
- (5) gift and promotional activities; and
- (6) disciplinary proceedings.

It is the intent of the legislature that the board use as guidelines for these rules the rules of the board of realty regulation implemented pursuant to the real estate licensing laws and the rules of other states governing the

timeshare industry. The board may also use as guidelines for these rules the rules of the securities division of the state auditor's office.

And, as amended, be concurred in. Report adopted.

SB 318, be concurred in. Report adopted.

SB 359, third reading copy, be amended as follows:

1. Title, line 12.

Strike: "A DELAYED"

Insert: "AN IMMEDIATE"

2. Page 5, line 11.

Strike: "JANUARY 1, 1988"

Insert: "on passage and approval"

And, as amended, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman):

3/18/87

SB 261, third reading copy, be amended as follows:

1. Title, line 6.

Strike: "A PERSON 21 YEARS OF AGE OR OLDER"

Insert: "AN ADULT"

2. Title, lines 7 and 8.

Strike: "ON OR WITHIN PROXIMITY TO THE REAL PROPERTY COMPRISING A SCHOOL"

3. Page 2, lines 10 through 14.

Strike: "Whenever" on line 10 through line 14

4. Page 2, line 16.

Following: "(2)"

Strike: "or"

Insert: ","

Following: "(3)"

Insert: ", or (5)"

5. Page 2, line 20.

Strike: "21 YEARS OF AGE OR OLDER"

Insert: "who was an adult"

6. Page 2, line 21.

Following: "SALE"

Insert: "and"

7. Page 2, lines 22 through 24.

Strike: "which" on line 22 through "school," on line 24

8. Page 3, line 3, end of line 9 and beginning of line 10, and lines 17 and 22.

Strike: "or both,"

And, as amended, be concurred in. Report adopted.

Adverse Committee Reports

3/17/87

SB 108, be not concurred in. Chairman Lory moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday,

Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 77

Noes: Cobb, Fritz, Giacometto, Kitselman, Pistoria, Spaeth, Thomas.

Total 7

Excused: Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 5

Absent or not voting: Asay, Bradley, Donaldson, Hoffman, Meyers, Miller, Nathe, Poulsen, Sands, Williams, Winslow.

Total 11

TAXATION (Ramirez, Chairman):

3/18/87

HB 617, do pass. Report adopted.

HB 880, introduced bill, be amended as follows:

1. Page 2, line 1.

Strike: "(5)"

Insert: "(4)"

2. Page 7, line 23 through page 8, line 5.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

3. Page 9, line 3.

Strike: "(6)"

Insert: "(5)"

4. Page 10, line 6.

Strike: "3(8)"

Insert: "3(7)"

Committee attached the following statement of intent:

Statement of Intent

HB 880

A statement of intent is required for this bill because section 3 grants the commissioner of insurance authority to adopt rules to provide for the periodic payment of portions of the premium tax.

Currently the premium tax is paid by insurers once a year in March. The legislature recognizes the opportunity to collect the premium tax on a regular basis throughout the year and to generate additional income for the state by having this money available for investment. For this reason, the legislature grants the commissioner of insurance authority to adopt rules to establish a schedule for payment of portions of the premium tax during the year in which the tax liability is accrued.

The legislature intends that, in adopting rules, the commissioner of insurance establish payment schedules similar to the schedules used in other states. The legislature further intends that rules adopting a periodic schedule for payment of the premium tax not create an undue burden on insurance companies by requiring excessively frequent payments. Lastly, it is the intent of the legislature that rules adopted under this act conform as much as possible to the laws, rules, and procedures of this state governing the budgeting, appropriation, and expenditure of state funds.

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 544, do not pass.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/18/87

HB 175, introduced by Peterson

HB 183, introduced by Ellison

HB 249, introduced by Kitselman

HB 345, introduced by McCormick

HB 349, introduced by Hannah

HB 401, introduced by Quilici

HB 411, introduced by Harp

HB 438, introduced by Ream

HB 507, introduced by Campbell

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/18/87

HB 210, introduced by Grady

HB 654, introduced by Addy

The Senate, on 3/18/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 206.

The President appointed the following members:

Senator Boylan, Chairman

Senator Stimatz

Senator Rasmussen

MOTIONS

Representative Giacometto moved that SB 356 be taken from third reading and placed back on second reading to correct the amendment passed the previous day. Motion carried.

Representative Donaldson moved that SB 17 be taken from the Committee on Appropriations and placed on third reading. Motion carried.

Representative Vincent moved that Rehberg, Donaldson, Giacometto, Lory, C. Smith, Jones, Ellison, Peterson, Wallin, Hayne, Keller, Asay, Patterson, Jenkins, Roth, Simon, Stratford, Nathe, Hoffman, Swift, Winslow, Miller, Swysgood, Campbell, Thoft, Menke, Grady, Brandewie, Ramirez, Harper, Pavlovich, Daily, Addy, Cohen, Whalen, Driscoll, Manuel, Spaeth, Fritz, Russell, Kennerly, Koehnke, Corne', Squires, Hansen, Ream, J. Brown, Pistoria, Peck, McCormick, M. Williams, O'Connell, Raney, Darko, Bulger, Poulsen, Cody, Menahan, Nisbet, Schye, Poff, Keenan, Stang, Strizich, DeMars, Miles, Bardanouve, Quilici, D. Brown, Thomas, and Holliday be added as sponsors to HB 867. Motion carried.

Representative Schye moved that HB 526 be taken from the table in the Committee on Fish and Game and printed and placed on second reading. Motion carried. (58-41)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 8, introduced by Spaeth, Kadas, Keenan. Referred to Committee on Taxation.

HB 9, introduced by Vincent. Referred to Committee on Taxation.

HB 887, introduced by Asay, Kolstad, Tveit, Blaylock, Gilbert, Devlin, Cody, Russell, Weeding, Boylan, Neuman, Darko, Hofman, McLane, Meyer, E. Smith, Rapp-Svrcek, Nathe, Stratford, Hirsch, Schye, Manuel, DeMars, Bradley. Referred to Committee on Agriculture.

HB 888, introduced by Winslow, Bradley, Cobb. Referred to Committee on Appropriations.

HJR 46, introduced by Brandewie, Driscoll, (By Request of the House Committee on Business and Labor). Referred to Committee on Business and Labor.

The following Senate bill was introduced, read first time, and referred to committee:

SB 396, introduced by Bengtson. Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Keenan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative D. Brown excused at this time.

SB 149 - Representative Spaeth moved that SB 149 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 74

Noes: Asay, Bardanouve, Cody, Compton, Ellison, Gilbert, Glaser, Grinde, Hannah, Hayne, Holliday, Jenkins, Jones, Keller, Menke, Peck, Phillips, Ramirez, Rehberg, Sales, Simon, Smith, Thoft.

Total 23

Paired: D. Brown, Moore, Rapp-Svrcek, Ayes; Hayne, Sales, Thoft, Noes.

Excused: Devlin, Switzer, Swysgood.

Total 3

Absent or not voting: None.

Total 0

HB 222 - Representative Thomas moved that HB 222 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Bardanouve, Bulger, Cobb, Cohen, Driscoll, McCormick, Russell, Whalen.

Total 8

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: Quilici.

Total 1

HB 409 - Representative Miles moved that HB 409 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Ellison, Hannah, Menke, Meyers.

Total 4

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: None.

Total 0

HB 709 - Representative Quilici moved that consideration of HB 709 be passed for the day due to the absence of the sponsor, Representative D. Brown. Motion carried.

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Keenan moved the adoption of the committee report. Report adopted. (92-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 700 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 92

Noes: None.

Total 0

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: Ellison, Hansen.

Total 2

HB 751 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 93

Noes: Cohen.

Total 1

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: None.

Total 0

SB 185 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson,

Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: None.

Total 0

SB 186 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: None.

Total 0

SB 196 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Giacometto, Stang, Swift.

Total 3

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: Campbell, Jones.

Total 2

SB 206 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Campbell, Cobb, Cody, Giacometto, Jenkins, Koehnke, Meyers, Patterson, Stang.

Total 9

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: None.

Total 0

SB 214 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Cobb, Cody, Meyers.

Total 3

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: Bardanouve.

Total 1

SB 231 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands,

Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 91

Noes: Hayne, Thomas.
Total 2

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.
Total 6

Absent or not voting: Nelson.
Total 1

SB 232 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.
Total 6

Absent or not voting: None.
Total 0

SB 249 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Cobb, Cody, Driscoll, Squires, Whalen.
Total 5

Paired: Rapp-Svrcek, Aye; Whalen, No.

Excused: D. Brown, Devlin, Moore, Switzer, Swysgood.
Total 5

Absent or not voting: None.

Total 0

SB 282 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: None.

Total 0

SB 299 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Whalen.

Total 1

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: None.

Total 0

SB 313 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell,

Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: None.

Total 0

HB 134, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: Ellison.

Total 1

HB 143, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Driscoll, Squires, Whalen.

Total 3

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: Strizich.

Total 1

HB 335, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Hannah.

Total 1

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: None.

Total 0

HB 439, Senate amendments and statement of intent, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Giacometto, Hannah.

Total 2

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: None.

Total 0

HB 591, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: None.

Total 0

HB 691, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: D. Brown, Devlin, Moore, Rapp-Svrcek, Switzer, Swysgood.

Total 6

Absent or not voting: Ellison, Kadas.

Total 2

MOTIONS

Representative Ramirez moved that the House reconsider its action in passing HB 751 on third reading this day. This tax bill's title is broad enough to be used as a vehicle for some other tax proposals, and they may need it back in committee. Motion carried. (83-5)

Representative Ramirez moved that HB 751 be rereferred to the Committee on Taxation. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 2:30 p.m., March 19, 1987.

Motion carried.

House adjourned at 6:20 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SIXTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 19, 1987

House Chambers
State Capitol

House convened at 2:45 p.m., Mr. Speaker in the Chair. Invocation by Representative Lory. Pledge of Allegiance to the Flag.

Roll call. All members present except Miles, Moore, Peterson, Thomas, and the Appropriations Committee, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixtieth legislative day, find the same to be correct.

Hayne, Chairman

SPECIAL ORDERS OF THE DAY

In honor of Charlie Russell's 123rd birthday, the Sergeant-at-Arms escorted Raphael Cristy to the rostrum. Mr. Cristy is a writer/performer who grew up on a Michigan horse farm. After graduating from Stanford in 1969, he opened a book store where he first discovered stories by and about Charles M. Russell. This encounter sparked Cristy's on-going research into Russell's life and works. He started performing Russell and his material in 1976, and found the stories still amaze and please audiences 100 years after Charlie first told them. After his performance, the Sergeant-at-Arms escorted him from the chamber.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/19/87

Correctly printed: HB 20, HB 185, HB 243, HB 259, HB 526, HB 617, HB 716, HB 751, HB 851, HB 852, HB 876, HB 880.

Correctly engrossed: HB 222, HB 409, SB 149.

Correctly enrolled: HB 3, HB 13, HB 21, HB 42, HB 64, HB 67, HB 81, HB 130, HB 267, HB 452.

Examined by the sponsor and found to be correct:

HB 3 - Donaldson

HB 267 - Mercer

HB 13 - Mercer

HB 301 - Rapp-Svrcek

HB 21 - Fritz

HB 408 - Iverson

HB 42 - Cobb

HB 450 - Pistoria

HB 64 - Hanson

HB 452 - Wallin

HB 67 - Pavlovich

HB 461 - Corne'

HB 81 - J. Brown

HB 536 - Devlin

HB 130 - Driscoll

HB 747 - Gould

HB 196 - Miles

HB 755 - Cobb

Signed by the Speaker at 8:45 a.m.: HB 196, HB 408, HB 450, HB 461, HB 747, HB 755.

Signed by the Speaker at 3:45 p.m.: HB 301, HB 536.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman):

3/18/87

SB 321, third reading copy, be amended as follows:

1. Title, line 9.

Following: ";

Insert: "PROVIDING FOR PAYMENT OF FEES TO DEFRAY THE COSTS OF MEDIATION; APPROPRIATING MONEY;"

2. Page 14.

Following: line 13

Insert: "NEW SECTION. Section 2. Fees and expenses of mediation. The department may assess and collect fees to defray the costs of providing mediation services under this chapter.

NEW SECTION. Section 3. Appropriation — expenditure of fees authorized. (1) There is appropriated from the general fund to the department of agriculture the sum of \$50,000 for the biennium ending June 30, 1989, for the purpose of providing mediation services.

(2) In addition to the appropriation contained in subsection (2), there is appropriated to the department of agriculture \$25,000 in available fees collected under [section 2] for each year of the biennium. Such fees must be applied toward the costs of providing mediation under this act.

NEW SECTION Section 4. Codification instruction. Section 2 is intended to be codified as an integral part of Title 80, chapter 13, part 2, and the provisions of Title 80, chapter 13, part 2, apply to section 2."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

APPROPRIATIONS (Donaldson, Chairman):

3/18/87

HB 20, second reading copy, be amended as follows:

1. Title, line 8.

Strike: "IMMEDIATE"

2. Page 1, line 20.

Strike: "6,000"

Insert: "3,000"

3. Page 5, line 10.

Strike: "6,000"

Insert: "3,000"

4. Page 5, lines 13 and 14.

Strike: "on passage and approval"

Insert: "July 1, 1987."

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman):

3/19/87

HB 863, introduced bill, be amended as follows:

1. Title, line 10.

Following: "SECTIONS"

Insert: "17-7-502,"

2. Page 2, line 5.

Following: "premises"

Insert: "or an establishment licensed under 23-5-421"

3. Page 5, line 5.

Following: "and"

Strike: "bingo"

Insert: "keno"

4. Page 5, line 8.

Following: "or"

Strike: "bingo"

Insert: "keno"

5. Page 5, line 11.

Strike: "\$500"

Insert: "\$100"

6. Page 5, line 12.

Strike: "9%"

Insert: "\$100"

7. Page 6, lines 18 through 20.

Following: "expires" on line 18

Strike: remainder of line 18, line 19 in its entirety, and line 20 through "after"

Insert: "for all purposes no later than"

8. Page 7, line 25.

Following: "the"

Strike: "numbered objects"

Insert: "numbers"

9. Page 7, line 11.

Strike: "\$500"

Insert: "\$100"

10. Page 8, line 1.

Strike: "of keno"

11. Page 8, line 3.

Following: "number"

Strike: "in the receptacle"

Following: "The"

Strike: "numbered objects"

Insert: "numbers"

12. Page 8.

Following: line 4

Insert: "(c) each game must have a field of numbers from 1 to 75 or 1 to 80 for each game of keno or bingo that is played. There must be at least 20 numbers drawn in each game."

Renumber: subsequent subsections

13. Page 8, line 8.

Following: "two"

Insert: "or more"

14. Page 8, line 10.

Following: "the"

Strike: "other"

Insert: "others"

15. Page 8, line 16.

Following: "quarters"

Strike: ".,"

Insert: ". The machine may have a mechanism that accepts cash in the form of bills.

(g) each quarter must represent one credit;

(h) the game must display the combinations for which free games or credits will be awarded and the number of free games or credits for each combination;"

Renumber: subsequent subsections

16. Page 9, line 13.

Following: "(i)"

Insert: "total"

Following: "by"

Strike: "each"

Insert: "both"

Following: "coin"

Strike: "acceptor"

Insert: "acceptors"

17. Page 9.

Following: line 13

Insert: "(ii) the machine may have a mechanism that accepts cash in the form of bills;"

Renumber: subsequent subsections

18. Page 9.

Following: line 21

Insert: "(ii) if the machine has a bill acceptor, it must contain electronic metering using meters that record total coins in mechanisms 1 and 2 combined and total credits in the bill acceptor;"

Renumber: subsequent subsections

19. Page 10.

Following: line 7

Insert: "(n) the terminal shall maintain three separate copies in independent, nonvolatile memories of all data in subsections (4)(1)(i) through (4)(1)(vi) and any current game data. Two of these independent, nonvolatile memories shall be contained in a removable module to allow off-line data recovery.

(o) any time critical data is accessed, there must be a comparison of all three independent nonvolatile memories. If at any time one copy does not match with the other two, an error must be recorded and the mismatched copy corrected. A system failure must result when none of the three match or a detected error cannot be corrected.

(p) access to the area containing the logic board and software must be detected even if access is made with power removed;"

Renumber: subsequent subsection

20. Page 10, line 20.

Following: "subsection"

Strike: "(4)(i)"

Insert: "(4)(l)"

21. Page 10, line 24.

Strike: "25%"

Insert: "15%"

22. Page 11, line 15.

Following: "(4)"

Insert: "(a)"

Following: "The"

Insert: "department must deposit one-third of the"

23. Page 11, lines 15 and 16.

Following: "(3)"

Strike: remainder of line 15 and line 16 through "deposit"

24. Page 11.

Following: line 20

Insert: "(b) The department must forward the remaining two-thirds of the tax collected under subsection (3) to the treasurer of the county, or the clerk, finance officer, or treasurer of the city or town in which the licensed machine is located, for deposit to the county or municipal treasury. Counties are not entitled to proceeds from taxes on income from video draw poker and keno machines located in cities and towns. The two-thirds local government portion of tax collected under subsection (3) is statutorily appropriated to the department as provided in 17-7-502 for deposit to the county or municipal treasury."

Section 10. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations:

- (a) 2-9-202;
- (b) 2-17-105;
- (c) 2-18-812;
- (d) 10-3-203;
- (e) 10-3-312;
- (f) 10-3-314;
- (g) 10-4-301;
- (h) 13-37-304;
- (i) 15-31-702;
- (j) 15-36-112;
- (k) 15-70-101;
- (l) 16-1-404;
- (m) 16-1-410;
- (n) 16-1-411;
- (o) 17-3-212;
- (p) 17-5-404;
- (q) 17-5-424;

- (r) 17-5-804;
- (s) 19-8-504;
- (t) 19-9-702;
- (u) 19-9-1007;
- (v) 19-10-205;
- (w) 19-10-305;
- (x) 19-10-506;
- (y) 19-11-512;
- (z) 19-11-513;
- (aa) 19-11-606;
- (bb) 19-12-301;
- (cc) 19-13-604;
- (dd) 20-6-406;
- (ee) 20-8-111;
- (ff) 23-5-612;
- (gg) 37-51-501;
- (hh) 53-24-206;
- (ii) 75-1-1101;
- (jj) 75-7-305;
- (kk) 80-2-103;
- (ll) 80-2-228;
- (mm) 90-3-301;
- (nn) 90-3-302;
- (oo) 90-15-103; and
- (pp) Sec. 13, HB 861, L. 1985; and
- (qq) [section 9].

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments.””

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 867, introduced bill, be amended as follows:

1. Page 2, line 7.
Strike: “(1)”

2. Page 2, lines 8 through 11.

Following: "fund" on line 8

Strike: remainder of line 8, lines 9 and 10 in their entirety, and line 11 through "shall"

Insert: "to"

3. Page 2, line 15.

Following: "in"

Strike: "the first phase of"

4. Page 2, line 17.

Following: "energy."

Insert: "No expenditures from this appropriation may be made after June 30, 1989."

5. Page 2, lines 18 through 24.

Strike: subsection (3) in its entirety

And, as amended, do pass. Report adopted.

SB 295, third reading copy, be amended as follows:

1. Title, line 12.

Following: "EXAMINATION"

Insert: "CERTAIN"

2. Page 3, line 23.

Following: "certification"

Insert: "before January 1, 1988"

And, as amended, be concurred in. Report adopted.

FISH AND GAME (Ellison, Chairman):

3/17/87

SB 53, be concurred in. Report adopted.

SB 320, third reading copy, be amended as follows:

1. Page 1, lines 14 and 15.

Strike: "in the expendable trust fund type"

And, as amended, be concurred in. Report adopted.

SB 331, third reading copy, be amended as follows:

1. Statement of intent, line 23.

Following: "department;"

Insert: "and"

2. Statement of intent.

Strike: lines 24 and 25 in their entirety

Renumber: subsequent subsection

3. Page 2, lines 10 and 11.

Strike: "in the following manner:"

4. Page 2, line 12.

Strike: "(a)"

5. Page 2, lines 14 through 20.

Strike: "," through "cover" on line 20

6. Page 3, lines 1 through 5.

Following: "population."

Strike: remainder of line 1 through line 5

7. Page 5.

Following: line 12

Insert: "NEW SECTION. Section 9. Report. The department shall report to the fish and game committee of each house of the legislature concerning pheasant enhancement activities undertaken pursuant to [sections 1 through 4] during the preceding biennium, together with any recommendations concerning the operation of the program."

Renumber: subsequent sections

8. Page 5, line 17.

Following: "instruction."

Insert: "(1)"

9. Page 5.

Following: line 20

Insert: "(2) If House Bill No. 535 and the provision therein creating a Class B-11 license is passed and approved:

(a) the fee established in House Bill No. 535 for the Class B-11 license is increased \$23; and

(b) a new subsection (5) is added to section 1 of this act that reads: "Class B-11, nonresident deer combination, \$23."

And, as amended, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman): 3/19/87
SB 369, third reading copy, be amended as follows:

1. Page 1, line 8.

Strike: "STRIPS"

Insert: "MATERIAL"

Following: "ON THE"

Insert: "FRONT AND"

2. Page 1, line 9.

Strike: "AND ON THE POST"

3. Page 1, line 13.

Strike: "strips"

Insert: "material"

4. Page 1, line 16.

Strike: "strips"

Insert: "material"

Following: "on the"

Insert: "front and"

5. Page 1, line 17.

Strike: "and on the lower half of the post"

6. Page 1, lines 19 through 22.

Strike: "and on any" on line 19 through "length" on line 22

And, as amended, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman): 3/19/87
SB 49, third reading copy, be amended as follows:

1. Title, line 12.

Strike: "AND"

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "AND 35-2-411"

Following: "MCA"

Insert: "; AND PROVIDING AN APPLICABILITY PROVISION
AND AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 21.

Following: "MISCONDUCT."

Insert: "The immunity granted by this section does not apply to the
liability of a nonprofit corporation."

3. Page 2, lines 10 through 15.

Strike: section 3 of the bill in its entirety

Insert: "NEW SECTION. Section 3. Effective date — applicability.
This act is effective on passage and approval and applies to claims
accruing after the effective date of this act."

And, as amended, be concurred in. Report adopted.

SB 92, be concurred in. Report adopted.

SB 189, third reading copy, be amended as follows:

1. Title, line 6.

Strike: "CONVICTED OF"

Insert: "WHO ADMITS VIOLATING OR IS ADJUDICATED AS
HAVING VIOLATED A LAW RELATING TO"

2. Page 2, line 2.

Strike: "CONVICTED OF a violation of"

Insert: "who admits violating or is adjudicated as having violated"

3. Page 2, line 3.

Strike: "LAW ENFORCEMENT"

Insert: "YOUTH COURT"

4. Page 2, line 4.

Following: "STUDENT"

Insert: "for purposes of referral for enrollment in a substance abuse
program or enforcement of school disciplinary procedures that
existed at the time of the admission or adjudication"

5. Page 2, line 5.

Strike: "HOWEVER,"

Strike: "BY THE"

6. Page 2, line 6.

Strike: "SCHOOL OFFICIALS"

Insert: "and may not be made part of the student's permanent
records"

And, as amended, be concurred in. Report adopted.

TAXATION (Ramirez, Chairman):

3/19/87

HB 377, introduced bill, be amended as follows:

1. Title.

Following: line 5

Strike: lines 6 through 8 in their entirety

Insert: "GENERALLY REVISING THE CLASSIFICATION OF
PROPERTY FOR PROPERTY TAX PURPOSES; EXEMPTING
THE FIRST \$20,000 OF MARKET VALUE OF SINGLE-FAMILY
RESIDENCES FROM PROPERTY TAXATION; EXEMPTING
LIVESTOCK, AGRICULTURAL PRODUCTS, AIRCRAFT,
WATERCRAFT, ALL-TERRAIN VEHICLES, AND CERTAIN

OTHER PROPERTY FROM PROPERTY TAXATION; PROVIDING A PER CAPITA FEE ON LIVESTOCK; REVISING LOCAL GOVERNMENT BONDING AND DEBT LIMITS; PROVIDING A CREDIT AGAINST INDIVIDUAL INCOME TAX LIABILITY;"

2. Title, line 9.

Following: "SECTIONS"

Strike: "15-10-105, 17-7-502,"

Insert: "7-1-2111, 7-3-1321, 7-6-2211, 7-6-4121, 7-6-4254, 7-7-107, 7-7-108, 7-7-2101, 7-7-2203, 7-7-4201, 7-7-4202, 7-13-4103, 7-14-236, 7-14-2524, 7-14-2525, 7-14-4402, 7-16-2327, 7-16-4104, 7-31-106, 7-31-107, 7-34-2131, 15-1-101, 15-6-133 THROUGH 15-6-136, 15-6-147, 15-6-201, 15-6-207, 15-8-111, 15-8-202, 15-8-205, 15-8-301, 15-8-404, 15-8-405, 15-8-706, 15-16-611, 15-24-301, 15-24-302, 15-24-1102, 15-24-1103, 19-11-503, 19-11-504, 20-9-141,"

3. Title.

Following: line 9

Strike: "AND 20-9-343,"

Insert: "20-9-352, 20-9-406, 20-9-407, 20-9-501, 20-9-502, 20-10-144, 37-7-407, 61-3-431, 61-3-501, 61-4-112, 61-10-231, 61-12-206, 67-3-201, 67-3-202, 81-6-101, 81-6-104, 81-6-204, 81-6-209, 81-7-103, 81-7-104, 81-7-201, 81-7-202, 81-7-303, 81-7-305, 81-8-804, AND 85-7-2001, MCA; REPEALING SECTIONS 15-6-137 THROUGH 15-6-140, 15-6-142 THROUGH 15-6-144, 15-6-146, 15-24-304, 15-24-901 THROUGH 15-24-906, 15-24-908 THROUGH 15-24-911, 15-24-921 THROUGH 15-24-926, 15-24-931, 15-24-941 THROUGH 15-24-943, 61-3-502, 61-3-605, AND 81-7-118,"

4. Title, lines 11 and 12.

Following: "MONTANA" on line 11

Strike: "AT THE NOVEMBER 1988 GENERAL ELECTION"

5. Title, line 12.

Strike: "A CONTINGENT"

6. Title, line 13.

Strike: "DATE"

Insert: "DATES AND APPLICABLE DATES"

7. Pages 1 through 82.

Strike: everything following the enacting clause

Insert: "NEW SECTION. Section 1. Short title. [Sections 1 through 43] shall be known and may be cited as the "Retail Sales and Use Tax Act".

NEW SECTION. Section 2. Definitions. Except as otherwise specifically provided, when terms mentioned in [sections 1 through 43] are used in connection with taxation, they are defined in the following manner:

(1) "Agricultural production" includes but is not limited to horticulture; floriculture; and the raising of pets, fur-bearing animals, research animals, and horses.

(2) "Department" means the department of revenue.

(3) "Director" means the director of the department of revenue.

(4) (a) "Farm machinery" includes:

(i) new or used machinery, equipment, implements, accessories, and contrivances used directly and principally in the production for sale,

but not the processing, of livestock, dairy animals, dairy products, poultry and poultry products, fruits, vegetables, forage, grains, or bees and apiary products;

(ii) machinery used for the preparation, seeding, or cultivation of soil for growing agricultural crops and for the harvesting and threshing of agricultural products;

(iii) machinery used for dairy, livestock, and poultry farms; barn cleaners; milking systems; grain dryers; automatic feeding systems; and similar installations;

(iv) irrigation equipment sold for exclusively agricultural use, including pumps, pipe fittings, valves, sprinklers, and other equipment necessary to the operation of an irrigation system when sold as part of an irrigation system. Irrigation equipment which is situated below ground and considered to be a part of the real property is not included.

(v) logging equipment, including chain saws used for logging only if the engine displacement equals or exceeds 5 cubic inches.

(b) Not included in the definition of farm machinery are:

(i) repair or replacement parts for farm machinery;

(ii) tools, shop equipment, grain bins, feed bunks, fencing material, communication equipment, and farm supplies; or

(iii) motor vehicles as defined in 61-1-102, snowmobiles, snowblowers, lawnmowers, garden-type tractors or garden tillers, and the repair and replacement parts for those vehicles and machines.

(5) "Gross receipts" means the total amount received, in money or otherwise, for all sales at retail as measured by the sales price. At the option of the taxpayer, gross receipts from sales may be reported on a cash basis as the consideration is received or on an accrual basis as sales are made.

(6) "Handicapped" means a permanent total disability as defined in 39-71-116.

(7) (a) "Person" includes:

(i) an individual, partner, officer, director, firm, partnership, joint venture, association, cooperative, social club, fraternal organization, municipal or private corporation, whether organized for profit or not, estate, trust, business trust, receiver, trustee, syndicate;

(ii) the United States;

(iii) the state of Montana or a political subdivision of the state;

(iv) any other group or combination acting as a unit; and

(v) an agent or consignee of an individual or organization enumerated in this subsection.

(b) As used in subsection (7)(a), person includes but is not limited to directors and officers of corporations or members of partnerships who, individually or jointly with others, have the control, supervision, or responsibility of filing returns and making payment of the tax imposed by [sections 1 through 43].

(8) "Retailer" includes a person engaged in making sales at retail.

(9) (a) "Retail sale" or "sale at retail" means a sale for any purpose other than resale in the regular course of business and includes:

(i) personal property used by the owner only by leasing it or holding it for lease to others;

(ii) the sale of building materials, supplies, or equipment to owners, contractors, subcontractors, or builders for the erection of buildings or the alteration, repair, or improvement of real property in whatever quantity the materials, supplies, or equipment are sold and whether or not they are sold for the purpose of resale in the form of real property or otherwise;

(iii) the sale of carpeting, linoleum, or other floor covering, including installation; and

(iv) the lease or rental of property.

(b) A retail sale or a sale at retail does not include:

(i) the sale of aircraft or repair parts therefor if the sale is to a nonprofit, incorporated flying club or association and the aircraft or parts are used solely by the corporation by leasing such aircraft to shareholders of the corporation; or

(ii) leasing an aircraft described in subsection (9)(b)(i) to shareholders described in subsection (9)(b)(i).

(10) (a) "Sale" or "purchase" includes but is not limited to each of the following transactions:

(i) (A) the transfer of title or possession, or both, of tangible personal property, whether absolutely or conditionally, and the leasing of or the granting of a license to use or consume tangible personal property other than manufactured homes used for residential purposes for a continuous period of 30 days or more, for a consideration in money or by exchange or barter;

(B) the transfer of computer software, meaning information and directions that dictate the function to be performed by data processing equipment and which are sold without adaptation to the specific requirements of the purchaser, whether contained on tape, discs, cards, or other devices;

(ii) the production, fabrication, printing, or processing of tangible personal property for a consideration for consumers who furnish, directly or indirectly, the materials used in the production, fabrication, printing, or processing;

(iii) except as provided in subsection (10)(a)(iii)(B), the furnishing, preparing, or serving of food, meals, or drinks for a consideration. Except as provided in [section 26], taxable food or meals:

(A) include but are not limited to the following:

(I) heated food or drinks;

(II) sandwiches prepared by the retailer;

(III) single sales of prepackaged ice cream, ice milk, frozen yogurt, frozen tofu, or novelties prepared by the retailer;

(IV) hand-prepared or dispensed ice cream, ice milk, frozen yogurt, frozen tofu, or such products as cones, sundaes, or snow cones;

(V) soft drinks and other beverages prepared or served by the retailer;

(VI) gum;

(VII) ice;

(VIII) all food sold in vending machines;

(IX) party trays prepared by retailers; and

(X) all meals, single servings of packaged snack food, and single cans or bottles of pop sold in restaurants and bars;

(B) do not include food, meals, or drinks in hospitals, sanatoriums, nursing homes or senior citizens homes; meals or drinks purchased for and served exclusively to individuals who are 60 years of age or over and their spouses or to the handicapped and their spouses by governmental agencies, nonprofit organizations, or churches or pursuant to any program funded in whole or part through 42 U.S.C.A. sections 3001 through 3045, wherever delivered, prepared or served; or meals and lunches served at public and private schools, universities or colleges, or the occasional meal served by a charitable or church organization;

(iv) the granting of the privilege of admission to places of amusement or athletic events and the privilege of use of amusement devices or athletic facilities;

(v) the furnishing for a consideration of lodging and related services by a hotel, motel, roominghouse, campground, guest ranch, trailer park, or similar facility and the granting of any similar license to use real property other than the renting or leasing thereof for a continuous period of 30 days or more;

(vi) the furnishing for a consideration of electricity, gas, water, or steam for use or consumption within this state, or of a local exchange telephone service or intrastate toll service, including sales by municipal corporations in a proprietary capacity;

(vii) the furnishing for a consideration of cable television services or a similar television service, including charges for basic monthly service and monthly premium service;

(viii) except as provided in [section 26], the sale of horses, including claiming sales and fees paid for breeding a stallion to a mare. This subsection applies to sales and fees with respect to a horse to be used for racing whose birth has been recorded by the jockey club, the United States trotting association, or the American quarter horse association but does not apply with respect to the sale of a horse bred and born in Montana.

(ix) the sale of advertising in a newspaper or other publication as described in subsection (10)(a)(x) published at regular intervals of 1 week or less;

(x) the sale of newspapers or any other publications published at regular intervals of 1 week or less. For the purposes of this section, publication includes any supplements or inserts contained in a newspaper or other publication published at regular intervals of 1 week or less.

(b) The furnishing of water and sewer services is not a sale or purchase.

(11) (a) "Sales price" means the total consideration valued in money for a retail sale, whether paid in money or otherwise, excluding any amount allowed as credit for tangible personal property taken in trade for resale, without deduction for the cost of the property sold, the cost of materials used, the labor or service cost, the interest, the discount allowed after the sale is consummated, the cost of transportation incurred prior to the time of sale, any amount for which credit is given to the purchaser by the seller, or any other expense whatever.

(b) Cash discounts allowed and taken on sales, the amount refunded either in cash or in credit for property returned by purchasers, or the amount of any tax (not including, however, any manufacturers' or importers' excise tax) imposed by the United States upon or with respect to retail sales, whether imposed upon the retailer or the consumer, are not included in the sales price.

(12) (a) "Storage" includes any keeping or retention in Montana of tangible personal property for any purpose except sale in the regular course of business or subsequent use solely outside Montana.

(b) The term does not include the keeping, retaining, or exercising of any right or power over tangible personal property or tickets or admissions to places of amusement or athletic events, which tickets or admissions are shipped or brought into Montana for the purpose of subsequently being transported outside Montana and thereafter used solely outside Montana, except in the course of interstate commerce, or for the purpose of being processed, fabricated or manufactured into, or attached to or incorporated into other tangible personal property to be transported outside Montana and not thereafter returned to a point within Montana, except in the course of interstate commerce.

(13) (a) "Tangible personal property" means corporeal personal property of any kind, including property that is to become real property as a result of incorporation, attachment, or installation following its acquisition.

(b) Tangible personal property does not include large ponderous machinery and equipment used in a business or production activity and which at common law would be considered to be real property.

(14) (a) "Use" includes the exercise of any right or power over tangible personal property or tickets or admissions to places of amusement or athletic events, purchased from a retailer incident to the ownership of any interest in that property, except that it does not include the sale of that property in the regular course of business.

(b) The term does not include the keeping, retaining, or exercising of any right or power over tangible personal property or tickets or admissions to places of amusement or athletic events, which tickets or admissions are shipped or brought into Montana for the purpose of subsequently being transported outside Montana and thereafter used solely outside Montana, except in the course of interstate commerce, or for the purpose of being processed, fabricated or manufactured into, or attached to or incorporated into other tangible personal property to be transported outside Montana and not thereafter returned to a point within Montana, except in the course of interstate commerce.

NEW SECTION. Section 3. Imposition of tax. (1) Except as otherwise provided in [sections 1 through 43] and in subsections (2)

and (3), there is imposed a sales and use tax of 4% of the gross receipts from sales at retail made by any person in this state.

(2) The tax imposed on the sale at retail of manufactured housing used for residential purposes is imposed upon 60% of the sales price of the housing at the rate of 4%.

(3) The sales and use tax imposed on the receipts received by hotels, motels, roominghouses, campgrounds, guest ranches, trailer parks, or similar facilities is:

(a) 2% if such receipts are taxable under a lodging or accommodation type tax on either the operator or the user; or

(b) 4% if there is no accommodation type tax imposed by the state.

NEW SECTION. Section 4. Separate charge and collection — advertising restriction — rounding. (1) Except as provided in subsection (4), the tax:

(a) must be stated and charged separately from the sales price or charge for service when practicable;

(b) must be collected by the seller from the purchaser; and

(c) is a debt from the purchaser to the seller recoverable at law in the same manner as other debts.

(2) (a) It is unlawful for a retailer to advertise or hold out or state to the public or any customer, directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the retailer, that it will not be added to the sales price, or that, if added, it or any part thereof will be refunded. However, in computing the tax to be collected as the result of a transaction, amounts of tax less than one-half of 1 cent may be disregarded and amounts of tax of one-half cent or more may be considered an additional cent. If the sales price of a sale at retail is 12 cents or less, no tax may be collected.

(b) A person violating this provision is guilty of a misdemeanor.

(3) Agreements between competitive retailers or the adoption of appropriate regulations by organizations or associations of retailers to provide uniform methods for adding such tax or the average equivalent thereof, other than unlawful price fixing agreements, are expressly authorized and are not in violation of the laws of Montana prohibiting such agreements or regulations.

(4) The tax imposed under [section 3 or 14] on the sale of newspapers and other publications and their supplements or inserts and advertising contained therein, as provided in [section 2(10)(a)], must be paid by the publisher. The publisher shall include the tax in the retail price of the newspaper or other publication subject to tax.

NEW SECTION. Section 5. Permit application — vending machines — form. (1) A person desiring to engage in the business of making retail sales in Montana shall file with the department an application for a permit. If the person has more than one place of business, an application for each place of business must be filed. A vending machine operator who has more than one vending machine location is considered to have only one place of business for purposes of this section. An applicant who has no regular place of business and who moves from place to place is considered to have only one place of business and shall attach the permit to his cart, stand,

truck, or other merchandising device. The department may require any person or class of persons obligated to file a return under [section 28] to file application for a permit.

(2) Every application for a permit must be on a form prescribed by the department and must set forth the name under which the applicant intends to transact business, the location of his place or places of business, and such other information as the department may require. The application must be filed by the owner, if a natural person; by a member or partner, if the owner is an association or partnership; or by a person authorized to sign the application, if the owner is a corporation.

NEW SECTION. Section 6. Flea markets — permits — penalty.

(1) The operator of a flea market, craft show, antique show, coin show, stamp show, comic book show, convention exhibit area, or similar selling event, as a prerequisite to renting or leasing space on the premises owned or controlled by the operator to a person desiring to engage in or conduct business as a seller, shall obtain evidence that the seller is the holder of a valid seller's permit issued pursuant to [section 5] or a written statement from the seller that he is not offering for sale any item that is taxable under [sections 1 through 43].

(2) "Flea market, craft show, antique show, coin show, stamp show, comic book show, convention exhibit area, or similar selling event", as used in this section, means an activity involving a series of sales sufficient in number, scope, and character to constitute a regular course of business and which would not qualify as an isolated or occasional sale pursuant to [section 26].

(3) Any operator who fails or refuses to comply with the provisions of this section is subject to a penalty, payable to the department, of \$100 for each day of each selling event that the operator fails to obtain evidence that the seller is the holder of a valid seller's permit issued pursuant to [section 5].

(4) This section does not apply to an operator of a flea market, craft show, antique show, coin show, stamp show, comic book show, convention exhibit area, or similar selling event that is:

(a) held in conjunction with a community-sponsored festival which has a duration of 4 or fewer consecutive days no more than once a year; or

(b) conducted by a nonprofit organization annually or less frequently.

NEW SECTION. Section 7. Permit. Upon compliance with [sections 5 and 29], when security is required, the department shall issue to each applicant a separate, numbered permit for each place of business within Montana. A permit is valid until revoked but is not assignable. It is valid only for the person in whose name it is issued and for the transaction of business at the place designated. The permit must be conspicuously displayed at all times at the place for which it is issued.

NEW SECTION. Section 8. Revocation of permit. When a person fails to comply with a provision of [sections 1 through 43] or any rule of the department adopted under [sections 1 through 43], the department, upon hearing, after giving the person 30 days' notice

in writing specifying the time and place of hearing and the reason for the proposed revocation and requiring him to show cause why his permit or permits should not be revoked, may for reasonable cause revoke or suspend one or more of the permits held by such person. The notice may be served personally or by certified mail. The department may not issue a new permit after revocation except upon application, accompanied by reasonable evidence of the intention of the applicant to comply with the provisions and rules. The department may condition the issuance of a new permit to such applicant on the supplying of such security in addition to that authorized by [section 29] as is reasonably necessary to ensure compliance with the provisions and rules.

NEW SECTION. Section 9. Violations — penalties. (1) A person who engages in the business of retail sales in Montana without the required permit or permits and each officer of a corporation which so engages in business is guilty of a misdemeanor.

(2) A person who engages in the business of retail sales in Montana after revocation of a permit under [section 8], when the department has not issued a new permit, is guilty of a felony.

NEW SECTION. Section 10. Presumption of tax — burden of proof — exemption certificate. (1) For the purpose of the proper administration of [sections 1 through 43] and to prevent evasion of the tax, it is presumed that all gross receipts are subject to the tax until the contrary is established.

(2) The burden of proving that a sale is not a sale at retail is upon the person who makes the sale, but he may take from the purchaser an exemption certificate to the effect that the property purchased is for resale or that the sale is otherwise exempt from the application of the tax imposed by [sections 1 through 43].

(3) An exemption certificate relieves the retailer from collecting and remitting the tax, but only if taken in good faith from a purchaser who holds a permit provided in [section 7].

NEW SECTION. Section 11. Exemption certificate — content — form. (1) The department shall provide for a uniform exemption certificate that must be used by a purchaser who holds a permit provided in [section 7] when the purchaser is purchasing goods for resale.

(2) At a minimum, the exemption certificate must provide:

(a) the number of the permit issued to the purchaser as provided in [section 7];

(b) the general character of property sold by the purchaser in the regular course of business;

(c) the property purchased;

(d) the name and address of the purchaser; and

(e) a line on which the purchaser must sign his name.

NEW SECTION. Section 12. Improper use of subject of purchase obtained with exemption certificate — violation — penalty. (1) If a purchaser who gives an exemption certificate makes use of the subject of the purchase other than for a purpose exempted by [sections 1 through 43], such use is considered a retail sale by the purchaser

as of the time of first use by him, and the sales price to him is considered the gross receipts from such retail sale. If the sole nonexempt use is rental while holding for sale, the purchaser shall include in his gross receipts the amount of the rental charged. Upon subsequent sale of such property, the seller shall include the entire amount of gross receipts received therefrom without deduction of amounts previously received as rentals.

(2) A person who gives an exemption certificate for property that will be used for purposes other than the exemption claimed with the intent to evade payment to the seller of the amount of the tax applicable to the transaction is subject to a penalty, payable to the department, of \$100 for each transaction in which an improper use of an exemption certificate has occurred.

NEW SECTION. Section 13. Commingling exemption certificate goods. If a purchaser gives an exemption certificate with respect to the purchase of fungible goods and thereafter commingles these goods with other fungible goods not so purchased but of such similarity that the identity of the constituent goods in the commingled mass cannot be determined, sales from the mass of commingled goods are considered to be sales of the goods so purchased until a quantity of commingled goods equal to the quantity of purchased goods so commingled has been sold.

NEW SECTION. Section 14. Tax — using, storing, or consuming tangible personal property — admissions — utilities. (1) For the privilege of using, storing, or consuming in Montana tangible personal property, tickets or admissions to places of amusement and athletic events, electricity and gas, local exchange telephone service, or other taxable transactions, purchased for use, storage, or consumption in Montana, a sales and use tax is imposed at the rate of 4% of the sales price of sales at retail, except as provided in subsection (3), unless the tax imposed by [section 3] or this section was paid on the sales price.

(2) A motor vehicle subject to tax under [section 3] or this section is taxed at its fair market value at the time of transport into Montana.

(3) Exceptions to the rate of tax specified in subsection (1) are as follows:

(a) the rate of tax imposed upon the sales price of manufactured housing is imposed on 60% of the sales price of the housing at the rate of 4%; and

(b) the rate of tax imposed upon the receipts of hotels, motels, roominghouses, campgrounds, guest ranches, trailer parks, or similar facilities is as provided in [section 3].

NEW SECTION. Section 15. Collection and payment — penalty. (1) Liability for the payment of the sales and use tax is not extinguished until the tax has been paid to the department. However, a receipt from a retailer maintaining a place of business in Montana given to the purchaser pursuant to [section 17] relieves the purchaser of further liability for the tax to which the receipt refers.

(2) A retailer not maintaining a place of business in Montana as a prerequisite to receiving authorization from the department to collect the sales and use tax shall furnish, in accordance with [section

29], adequate security to insure collection and payment of the tax. When so authorized, the retailer shall, except as otherwise provided in [section 17], collect the tax upon all tangible property sold, to his knowledge, for use within Montana in the same manner as a retailer maintaining a place of business within this state collects such tax. The departmental authorization and permit may be cancelled at any time if the department considers the security inadequate or believes that the tax can be collected more effectively in another manner.

(3) No agent, canvasser, or employee of a retailer not authorized by permit from the department may collect the tax or sell, solicit orders for, or deliver any tangible personal property in Montana. Such an agent, canvasser, or employee violating the provisions of [sections 14 through 26] is guilty of a misdemeanor and shall be punished by a fine of not more than \$100 for each offense or by imprisonment for not more than 30 days, or by both such fine and imprisonment.

NEW SECTION. Section 16. Seizure — court review. (1) The department is authorized to seize and confiscate in the name of the state any truck, automobile, or means of transportation not owned or operated by a common carrier, used in the illegal importation or transportation of tangible personal property by a retailer or his agent or employee who does not have a sales or use tax permit and has been engaging in the transport of personal property into the state without payment of the tax. The department may demand the forfeiture and sale of the truck, automobile, or other means of transportation, together with the property being transported illegally, unless the owner establishes to the satisfaction of the department that he had no notice, knowledge, or reason to believe that the vehicle was used or intended to be used in any such violation.

(2) Within 2 days after the seizure, the person making the seizure shall deliver an inventory of the vehicle and property seized to the person from whom the seizure was made, if known, and to any person known or believed to have any right, title, interest, or lien on the vehicle or property and shall also file a copy with the department.

(3) Within 10 days after the date of service of the inventory, the person from whom the vehicle or property was seized or any person claiming an interest in the vehicle or property may file with the department a demand for a judicial determination of the question as to whether the vehicle or property was lawfully subject to seizure and forfeiture.

(4) The department, within 30 days after the date of service of the inventory, shall institute an action in the district court of the county where the seizure was made to determine the issue of forfeiture. The action must be brought in the name of the state and be prosecuted by the county attorney or the attorney general.

(5) The court shall hear the action without a jury and shall try and determine the issues of fact and law involved.

(6) If a judgment of forfeiture is entered, the department, unless the judgment is stayed pending an appeal, may cause the forfeited vehicle and property to be sold at public auction as provided by law. If a demand for judicial determination is made and no action is commenced as provided in this section, the vehicle and property must be released by the department and delivered to the person entitled to

it. If no demand is made, the vehicle and property seized are considered forfeited to the state by operation of law and may be disposed of by the department as provided by law relating to a judgment of forfeiture.

(7) The forfeiture and sale of the automobile, truck, or other means of transportation and of the property being transported illegally in it is a penalty for the violation of [sections 1 through 43].

(8) After deducting the expense of keeping the vehicle and property, the fee for seizure, and the costs of the sale, the department shall pay from the funds collected all liens, according to their priority, and which are established at the hearing as being bona fide and as existing without the lienholder having any notice or knowledge that the vehicle or property was being used or was intended to be used for or in connection with the violation specified in the order of the court. The department shall pay the balance of the proceeds into the state treasury to be credited to the general fund.

(9) The state is not liable for any liens in excess of the proceeds from the sale after deductions provided. A sale under the provisions of this section operates to free the vehicle and property sold from any and all liens on it, and appeals from the order of the district court will lie as in other civil cases.

(10) For the purposes of this section, "common carrier" means any person engaged in transportation for hire of tangible personal property by motor vehicle, limited to:

(a) a person possessing a certificate or permit authorizing for-hire transportation of property from the interstate commerce commission or the public service commission;

(b) a person transporting commodities defined as "exempt" in for-hire transportation; or

(c) a person who, pursuant to a contract with a person described in subsection (10)(a) or (10)(b), transports tangible personal property.

NEW SECTION. Section 17. Collection of tax at time of sale.

(1) A corporation authorized to do business in Montana, a retailer maintaining a place of business in this state, as defined in [section 21], or any other retailer the department may authorize pursuant to [section 15], upon making sales of any items enumerated in [sections 1 through 43] not exempted under [sections 1 through 43], shall at the time of making the sales collect the sales and use tax from the purchaser and give to the purchaser a receipt therefor in the form of a notation on the sales slip or receipt or in such other form as prescribed by the department. Such a corporation or retailer may not collect the tax from a purchaser who furnishes to the corporation or retailer a copy of a certificate issued by the department authorizing the purchaser to pay any sales or use tax due on purchases made by the purchaser directly to the department.

(2) A corporation or retailer required to collect the sales and use tax and remit such tax to the department under this section shall file with the department an application for a permit pursuant to [section 5]. The corporation or retailer shall furnish the department with the name and address of all the corporation's or retailer's agents operating in Montana and the location of each distribution or sales house or office or other place of business in Montana.

(3) The tax collected by such corporation or retailer under this section must be remitted to the department as provided by [sections 1 through 43].

NEW SECTION. Section 18. Tax — status as debt. The sales and use tax required to be collected by the retailer constitutes a debt owed by the retailer to Montana and is a debt from the purchaser to the retailer recoverable at law in the same manner as other debts.

NEW SECTION. Section 19. Advertising restriction — rounding — minimum tax — display of statute. (1) It is unlawful for a retailer to advertise or state to the public or to any customer, directly or indirectly, that the sales and use tax or any part of it will be assumed or absorbed by the retailer or that it will not be added to the sales price or that, if added, all or any part of it will be refunded.

(2) In computing the tax to be collected as the result of any transaction, amounts of tax less than one-half of 1 cent may be disregarded and amounts of tax of one-half cent or more may be considered an additional cent.

(3) The department may by rule require that the retailer display the statutory requirement that the sales and use tax be collected by the retailer from the purchaser.

NEW SECTION. Section 20. Violation — penalty. Any person violating [section 17, 18, or 19] is guilty of a misdemeanor.

NEW SECTION. Section 21. Registration — information relating to business location. (1) A retailer making retail sales for storage, use, or other consumption in Montana shall register with the department and give the name and address of all agents operating in Montana; the location of all distribution or sales houses, offices, or other places of business in Montana; and other information as the department may require.

(2) When in the opinion of the department it is necessary for the efficient administration of [sections 14 through 26] to regard a salesman, representative, trucker, peddler, or canvasser as the agent of the dealer, distributor, supervisor, employer, or other person under whom he operates or from whom he obtains the tangible personal property sold by him, whether he is making sales in his own behalf or in behalf of the dealer, distributor, supervisor, employer, or other person, the department may regard him as an agent and may regard the dealer, distributor, supervisor, employer, or other person as a retailer for the purposes of [sections 14 through 26].

(3) (a) “Retailer maintaining a place of business in this state”, or a like term, means a retailer having or maintaining within this state, directly or by a subsidiary:

(i) an office, distribution house, sales house, warehouse, or other place of business; or

(ii) an agent operating within this state under the authority of the retailer or its subsidiary.

(b) Subsections (2)(a)(i) and (2)(a)(ii) apply regardless of whether such place of business or agent is located in the state permanently or temporarily or whether such retailer or subsidiary is authorized to do business within this state.

NEW SECTION. Section 22. Common carriers as retailers — rules. (1) (a) A person engaged in interstate for-hire transportation by motor vehicle of tangible personal property or passengers may register as a retailer and pay the taxes imposed by [sections 1 through 43] in accordance with this section. Persons subject to the requirements of this section include:

(i) persons possessing a certificate or permit authorizing for-hire transportation of property or passengers from the interstate commerce commission or the public service commission;

(ii) persons transporting commodities classified as “exempt” in for-hire transportation in interstate commerce; or

(iii) persons who, pursuant to contracts with persons described in subsection (1)(a)(i) or (1)(a)(ii) transport tangible personal property in interstate commerce.

(b) Persons qualifying under subsection (1)(a)(i) or (1)(a)(ii) shall maintain on a current basis the same type of mileage records that are required by persons specified in subsection (1)(a)(i) by the interstate commerce commission.

(2) Persons who in the course of their business transport solely their own goods in interstate commerce may also register as retailers pursuant to rules prescribed by the department and pay the taxes imposed by [sections 1 through 43] in accordance with this section.

(3) (a) A person described in subsection (1) or (2), when properly registered as a retailer, may make purchases in this state or import property into this state without payment of the sales and use tax imposed by [sections 1 through 43] at the time of purchase or importation, provided that such purchases or importations come within the provisions of this section and are made in strict compliance with the rules adopted by the department.

(b) A person described in subsection (1) or (2) may elect to pay directly to the department any sales and use tax that may be due under [sections 1 through 43] for the acquisition of mobile transportation equipment and parts and accessories attached or to be attached to such equipment.

(c) The total cost of such equipment and parts and accessories attached or to be attached to such equipment must be multiplied by a fraction the numerator of which is the mileage operated during the past calendar year within Montana and the denominator of which is the total mileage operated during the past calendar year. The amount so determined must be multiplied by the tax rate to determine the tax due.

(4) A person who pays the tax to the seller as provided in [section 4] and who meets the requirements of this section at the time of the sale, except that he has not registered as a retailer pursuant to this section at the time of the sale, may register as a retailer, make a return, and file for a refund of the difference between the tax calculated under [section 3 or 14] and the tax calculated under subsection (3)(c). He shall file for a refund within the time limitations provided in [section 35]. Notwithstanding the provisions of [section 35], interest is allowed for a refund under this subsection only from the date on which the person has both registered as a retailer and filed a claim for refund.

NEW SECTION. Section 23. Presumption of purpose of sale — burden of proof. For the purpose of the proper administration of [sections 1 through 43] and to prevent evasion of the sales and use tax and the duty to collect it, it is presumed that all retail sales for delivery in Montana are for storage, use, or other consumption in Montana until the contrary is established. The burden of proving the contrary is upon the person who makes the sale, but he may take from the purchaser an exemption certificate in accordance with [sections 10 through 13].

NEW SECTION. Section 24. Property brought to state — presumption — burden of proof. A purchaser of tangible personal property or any items enumerated in [section 14] that are shipped or brought to Montana by him after [the applicability date of this act] has the burden of proving that the same were not purchased from a retailer for storage, use, or consumption in Montana.

NEW SECTION. Section 25. Taxes in other states. If an article of tangible personal property or an item enumerated in [section 14] has already been subjected to a tax by any other state in respect of its sale, storage, use, or other consumption in an amount less than the tax imposed by [sections 1 through 43], then as to the person who paid the tax in the other state, the provisions of [section 14] apply only at a rate measured by the difference between the rate fixed in [sections 1 through 43] and the rate by which the previous tax was computed. If the tax imposed in the other state was equal to or greater than the tax imposed in this state, then no tax is due from such person under [section 14].

NEW SECTION. Section 26. General exemptions. (1) The following are specifically exempted from the tax imposed by [sections 1 through 43]:

(a) the gross receipts from the sale of food products:

(i) including but not limited to cereal and cereal products, butter, cheese, milk and milk products, margarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products, and food products that are not taxable pursuant to [section 2(10)]; and

(ii) not including:

(A) candy and candy products, except when sold for fundraising purposes by a nonprofit organization that provides educational and social activities for young people primarily 18 years of age or under;

(B) carbonated beverages, beverages commonly referred to as soft drinks containing less than 15 percent fruit juice, or bottled water other than noncarbonated and noneffervescent bottled water sold in individual containers of one-half gallon or more in size;

(b) the gross receipts from the sale of prescribed drugs and medicine intended for use in the cure, mitigation, treatment, or prevention of illness or disease in human beings and products consumed by humans for the preservation of health, including prescription glasses and therapeutic and prosthetic devices but not including cosmetic or toilet articles (notwithstanding the presence of medicinal ingredients therein);

(c) the gross receipts from the sale, storage, use, or other consumption in Montana of tangible personal property, tickets or admissions, electricity, gas, or local exchange telephone service, which, under the federal constitution, the laws of the United States, or the Montana constitution, the state of Montana is prohibited from taxing;

(d) the gross receipts from the sale of either of the following categories of tangible personal property:

(i) tangible personal property that, without intermediate use, is shipped or transported outside Montana by the purchaser and thereafter used in a trade or business or is stored, processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property transported or shipped outside Montana and thereafter used in a trade or business outside Montana and is not thereafter returned to a point within Montana except in the course of interstate commerce (storage not constituting intermediate use), provided that the property is not subject to tax in the state or country to which it is transported for storage or use or, if subject to tax in the other state, that state allows a similar exemption for property purchased therein and transported to Montana for use in this state. However, sales of tangible personal property that is shipped or transported for use outside Montana are taxed at the rate of the sales and use tax imposed by the state to which the property is shipped or transported unless that state has no sales and use tax, in which case the sale is taxed at the rate generally imposed by this state. Furthermore, sales of tangible personal property to be used in other states or countries as part of a maintenance contract are specifically exempt.

(ii) tangible personal property that the seller delivers to a common carrier for delivery outside Montana, places in the United States mail or parcel post directed to a purchaser outside Montana, or delivers to a purchaser outside Montana by means of the seller's own delivery vehicles, and which is not thereafter returned to a point within Montana except in the course of interstate commerce;

(e) the gross receipts from the sale of packing materials used to pack and ship household goods, the ultimate destination of which materials and goods is outside Montana and which materials and goods are not thereafter returned to a point within Montana except in the course of interstate commerce;

(f) the gross receipts from the sale, storage, use, or consumption of petroleum products upon which a tax has been imposed under the provisions of Title 15, chapter 70, whether or not any part of that tax may be subsequently refunded;

(g) the gross receipts from the sale, storage, use, or consumption of all materials, including chemicals, fuels, petroleum products, lubricants, packaging materials (including returnable containers used in packaging food and beverage products), feeds, seeds, fertilizers, electricity, gas, and steam, used or consumed in agricultural or industrial production of personal property intended to be sold ultimately at retail, whether or not the item so used or consumed becomes an ingredient or constituent part of the property produced. Chemicals used for cleaning food processing machinery and equipment are included in this exemption. Agricultural or industrial production includes but is not limited to research, development, design, or production of any tangible personal property; manufacturing or processing (other than by restaurants and consumers) of agricultural

products, whether vegetable or animal; commercial fishing; printing; mining; quarrying; refining; smelting; reducing; brewing; distilling; lumbering; generating electricity; and production of road building materials. Such production does not include painting, cleaning, repairing, or similar processing of property except as part of the original manufacturing process. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture, and fixtures used in agricultural or industrial production are exempt. Fuel, electricity, gas, or steam used for space heating or lighting are not included within the exemption provided in this subsection (g). However, accessory tools and equipment and other short-lived items which are separate, detachable units used in producing a direct effect upon the product and which have an ordinary useful life of less than 12 months are exempt. Electricity used to make snow for outdoor use for ski hills, ski slopes, or ski trails is included in this exemption.

(h) the gross receipts from all sales, including sales in which title is retained by a seller or a vendor or is assigned to a third party under an installment sale or lease purchase agreement, of tangible personal property to (and all storage, use, or consumption of such property by) the United States and its agencies and instrumentalities or a state and its agencies, instrumentalities, and political subdivisions. Sales exempted by this subsection (h) include sales described in [section 2(10)(a)(iv) and (10)(a)(vi)] to any of the agencies, instrumentalities, or political subdivisions referred to in this subsection (h). This exemption does not apply to materials purchased by a contractor or a subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed maximum price covering both labor and materials for use in the construction, alteration, or repair of a building or facility. This exemption does not apply to construction materials purchased by tax-exempt entities or their contractors to be used in constructing buildings or facilities that will not be used principally by the tax-exempt entities.

(i) the gross receipts from the isolated or occasional sale of tangible personal property in Montana not made in the normal course of business of selling that kind of property and the storage, use, or consumption of property acquired as a result of such a sale. For purposes of this subsection (i), sales by a nonprofit organization are considered to be isolated or occasional if they occur at sale events that have a duration of 3 or fewer consecutive days. The granting of the privilege of admission to places of amusement and the privilege of use of amusement devices by a nonprofit organization at an isolated or occasional event conducted on property owned or leased for a continuous period of more than 30 days by the nonprofit organization are also exempt. The exemption provided for isolated sales of tangible personal property and of the granting of admissions or the privilege of use of amusement devices by nonprofit organizations pursuant to this subsection (i) is available only if the sum of the days on which the organization (or a subsidiary nonprofit organization sponsored by it that does not have a separate sales tax exemption permit) conducts sales of tangible personal property plus the days with respect to which the organization charges for the use of amusement devices or admission to places of amusement does not exceed 8 days in a calendar year. For purposes of this subsection (i), a nonprofit organization is any corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, no part of the net earnings of which inures to the benefit of a private individual.

(j) the gross receipts from sales of rolling stock and the storage, use, or other consumption of such property by railroads, freight line companies, sleeping car companies, and express companies. For purposes of this subsection (j), rolling stock is defined as the portable or moving apparatus and machinery of any such company that moves on the road and includes but is not limited to engines, cars, tenders, coaches, sleeping cars, and parts necessary for the repair and maintenance of rolling stock.

(k) the gross receipts from sales of flight equipment and the storage, use, or other consumption of such property by airline companies. For purposes of this subsection (k), flight equipment includes airplanes and parts necessary for the repair and maintenance of flight equipment and flight simulators;

(l) the gross receipts from the sale of tangible personal property to and the storage, use, or other consumption of such property by a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes (if the property purchased is to be used in the performance of a charitable, religious, or educational function) or by a senior citizens group or association of groups that in general limits membership to persons 55 years of age or older and is organized and operated exclusively for pleasure, recreation, and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any private shareholders. Sales exempted by this subsection (l) include sales pursuant to [section 2(10)(a)(iv) and (10)(a)(vi)]. This exemption does not apply to materials purchased by a contractor or a subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed maximum price covering both labor and materials for use in the construction, alteration, or repair of a building or facility. This exemption does not apply to construction materials purchased by tax-exempt entities or their contractors to be used in constructing buildings or facilities that will not be used principally by the tax-exempt entities.

(m) the gross receipts from the sale of caskets and burial vaults;

(n) the gross receipts from the sale of an automobile or other conveyance if the purchaser is assisted by a grant from the United States in accordance with 38 U.S.C.A., section 1901, as amended;

(o) the gross receipts from the sale of building materials to be used in the construction or remodeling of a residence when the construction or remodeling is financed in whole or in part by the United States in accordance with 38 U.S.C.A., sections 801 through 805, as amended. This exemption is not effective at the time of sale of the materials to contractors, subcontractors, builders or owners but is applicable only upon a claim for refund filed with the department by recipients of the benefits provided in 38 U.S.C.A., chapter 21, as amended. The department shall provide by rule for the refund of taxes paid on sales exempt in accordance with this subsection (o).

(p) the gross receipts from the sale and storage of material designed to advertise and promote the sale of merchandise or services, which material is purchased and stored for the purpose of subsequently shipping or otherwise transferring outside the state by the purchaser for use solely outside the state of Montana. Mailing and reply envelopes and cards used exclusively in connection with the advertising and promotional materials are included in this exemption.

(q) the gross receipts from the sale of residential heating fuels, in the following manner:

(i) all fuel oil, coal, wood, steam, hot water, propane gas, and liquefied petroleum gas sold to residential customers for residential use;

(ii) natural gas sold for residential use to customers who are metered and billed as residential users and who use natural gas for their primary source of residential heat;

(iii) electricity sold for residential use to customers who are metered and billed as residential users and who use electricity for their primary source of residential heat;

(r) the gross receipts from the sale of sanitary napkins, tampons, or similar items used for feminine hygiene;

(s) the gross receipts from the sale of a manufactured structure, as defined in 31-1-202, to be used by the purchaser for residential purposes unless the sale is the first retail sale of the manufactured home in this state;

(t) the gross receipts from the sale of repair and replacement parts, except tires, used for maintenance or repair of farm machinery, if the part replaces a farm machinery part assigned a specific or generic part number by the manufacturer of the farm machinery;

(u) the gross receipts from sales of tickets or admissions to regular-season school games, events, and activities. For purposes of this subsection (u), school has the meaning given it in 20-5-402;

(v) the sale of liquor and table wine in a package, as those terms are defined in 16-1-106, if the liquor or table wine is not consumed on the premises.

(2) This section may not be construed to exempt the gross receipts from sales of tangible personal property purchased by ultimate consumers from the United States or any of its agencies or instrumentalities or from the state of Montana, its agencies, instrumentalities, or political subdivisions. Such purchases are subject to tax, except as otherwise exempted.

(3) All articles of tangible personal property brought into Montana by a person who was a nonresident of this state immediately prior to bringing such property into this state for his use, storage, or consumption are exempted from the tax imposed by [section 3 or 14].

(4) Nothing herein exempts the gross receipts from sales of road building materials purchased by contractors and intended for use in state highway or interstate highway construction.

NEW SECTION. Section 27. Time for payment — notice — offset. (1) The tax imposed by [sections 1 through 43] is due and payable to the department monthly on or before the 25th day of the month following the month in which the taxable event occurred or such other reporting period as the department may prescribe.

(2) The sales tax return form must include a printed notice that the return and payment must be received by the department no later than the due date.

(3) The taxpayer may offset against the taxes payable with respect to any reporting period the amount of taxes imposed by [sections 1

through 43] previously paid as a result of any transaction the consideration for which became a debt owed to the taxpayer and which debt became uncollectible during the reporting period. Such an offset may be made only in proportion to the portion of the debt which became uncollectible.

NEW SECTION. Section 28. Returns. (1) On or before the 25th day of each month in which the tax imposed by [sections 1 through 43] is payable, a return for the preceding reporting period must be filed with the department, in the form prescribed by the department, verified by a written declaration that it is made under the criminal penalties for willfully making a false return. The return must also contain a confession of judgment for the amount of the tax shown due, to the extent not timely paid. A person making sales at retail at two or more places of business may file a consolidated return, subject to rules prescribed by the department.

(2) For the purposes of the sales and use tax, a return must be filed by:

- (a) a retailer required to collect such tax; and
 - (b) a person purchasing any items the storage, use, or other consumption of which is subject to the sales and use tax and who has not paid the sales and use tax to a retailer required to collect the tax.
- (3) All returns must be signed by the person filing the return or by his agent duly authorized in writing and must be accompanied by a remittance for the amount due.
- (4) A person liable for the tax imposed by [sections 1 through 43] or for the collection of the tax shall keep the records, render the statements, make the returns, and comply with the rules prescribed by the department. A return or statement must include the information required by the rules forms prescribed by the department. For the purpose of determining compliance with the provisions of this subsection, the department is authorized to examine or cause to be examined any books, papers, records, or memoranda relevant to making a determination, whether the books, papers, records, or memoranda are the property of or in the possession of such person or another person. The department may also:
- (a) require the attendance of a person having relevant knowledge or information;
 - (b) compel the production of books, papers, records, or memoranda by a person required to attend;
 - (c) take testimony on matters material to the determination; and
 - (d) administer oaths or affirmations.

NEW SECTION. Section 29. Security — limitations — notice of sale at auction — bond. (1) The department may require a retailer subject to [sections 1 through 43] to deposit with the department security in a form and amount as it determines necessary. The deposit may not be more than twice the estimated average liability for the period for which the return is required to be filed, or \$10,000, whichever is less. The amount of security may be increased or decreased by the department, subject to the limitations provided in this section.

(2) The department may sell property deposited as security at public auction, if necessary, in order to recover any tax or amount required to be collected, including interest and penalties. Notice of the sale must be served personally upon the person who deposited the security or by mail in the manner prescribed for the service of notice of deficiency. After the sale any surplus above the amount due that is not required as security under this section must be returned to the person who deposited the security.

(3) In lieu of security, the department may require a retailer to file a bond, issued by a surety company authorized to transact business in this state, as to solvency and responsibility.

NEW SECTION. Section 30. Extensions. (1) The department may extend the time for filing returns and remittance of tax, deficiencies, and penalties for not more than 60 days and may require a tentative return at the time fixed for filing the regularly required return and payment of tax on the basis of such tentative return.

(2) If an extension of time for payment has been granted under this section, interest at the rate provided in [section 38(6)] is payable from the date on which such payment should have been made until the tax is paid, unless an extension has been granted.

NEW SECTION. Section 31. Examination of return — adjustments — delivery of notices and demands. (1) The department shall, as soon as practicable after a return is filed, examine the return and make any investigation or examination of the records and accounts of the person making the return that it considers necessary for determining the return's correctness. The department may use statistical or other sampling techniques consistent with generally acceptable accounting principles in examining the returns or records. The tax computed on the basis of such an examination constitutes the tax to be paid.

(2) If the tax found to be due exceeds the amount of the tax reported as due on the taxpayer's return, the excess must be paid to the department within 60 days after notice of the amount and demand for payment is mailed to the person making the return. If the amount of the tax found due by the department is less than that reported as due on the return, the excess must be refunded to the person making the return in the manner provided by [section 35] if he has already paid the full amount of the tax, or it may be credited against any unpaid tax. Except as may be otherwise provided in [sections 1 through 43], no refund may be made except as provided in [section 35] after 3 years from the date of filing the return.

(3) The notices and demands provided for by [section 32] and this section must contain a statement of the computation of the tax and must be sent by mail to the person making the return at the address given in his return, if any, or to his last-known address, or a written statement of the computation of the tax may be served personally upon the taxpayer. If the statement is served personally, demand for immediate payment of the taxes contained in the written statement must be made by the person making personal service.

NEW SECTION. Section 32. Failure to file return. If a person required by [sections 1 through 43] to file a return fails to do so within the time prescribed or makes, willfully or otherwise, an incorrect, false, or fraudulent return, he shall, upon written notice and demand, immediately file the return or corrected return and pay any

tax due. If the person fails to file the return or corrected return, the department shall make for him a return or corrected return from such information as can be obtained through testimony or otherwise. The department shall then assess a tax on the basis of its return, which tax (less any payments made on the tax for the taxable period covered by the return) must be paid immediately upon written notice and demand. A return or assessment made by the department is prima facie correct and valid, and the person for whom the return was prepared has the burden of establishing its incorrectness or invalidity in any related action or proceeding.

NEW SECTION. Section 33. Failure to pay tax — actions — evasion. (1) If any portion of the tax imposed by [sections 1 through 43], including penalties, is not paid within 60 days after it is due, the department shall bring against the person liable for payment of such tax an action for the recovery of the tax, interest, and penalties due. The action must be brought in the district court of the first judicial district. Only the homestead and household goods of the judgment debtor are exempt from seizure and sale upon execution in such an action.

(2) If the department has reason to believe that the person required to file the return is about to remove himself or his property from this state with the purpose of evading the tax and penalties imposed by [sections 1 through 43] or that the collection of such tax will be jeopardized by delays incident to other methods of collection, it may declare a person's reporting period at an end and assess a tax on the basis of knowledge or information available to the department, demand immediate payment, and, if payment is not immediately made, collect the tax by any method prescribed in Title 15.

(3) None of the following constitute a defense to an assessment made under this section:

- (a) The tax period has not terminated.
 - (b) The time otherwise allowed by law for filing a return has not expired.
 - (c) The notices otherwise required by law for making an assessment have not been given.
 - (d) The time otherwise allowed by law for taking or prosecuting an appeal or for paying the tax has not expired.
- (4) In addition to all other methods authorized for its collection, the tax may be collected in an ordinary action at law or in equity by the state against the person required to file a return.
- (5) No suit lies to enjoin the assessment or collection of the tax imposed by [sections 1 through 43] or the interest and penalties imposed thereby.
- (6) The tax, as assessed by the department, with penalties included, is presumed to be valid and correctly determined and assessed. The burden to establish the incorrectness or invalidity of the assessment is on the person required to file the return.

NEW SECTION. Section 34. Limitations. (1) Except as otherwise provided in [sections 1 through 43], the amount of taxes assessable with respect to a taxable period must be assessed within 3 years after the date on which the return for the period was filed. Taxes are

considered to have been assessed within the meaning of this section when the department has prepared a notice of tax assessment and mailed the notice to the person required to file the return. The record of the mailing is presumptive evidence of giving notice. Such records must be preserved by the department.

(2) If the person required to file the return omits from the return a dollar amount that is in excess of 25% of the dollar amount reported in the return, the tax may be assessed or a proceeding in court for the collection of the tax may be begun at any time within 5 years after the date on which the return was filed.

(3) For the purposes of [section 35] and this section, a return filed before the last day prescribed by law for filing is considered to be filed on the last day.

(4) In the case of a false or fraudulent return with intent to evade tax or of failure with the same intent to file a return, the tax may be assessed at any time and a proceeding in court for the collection of the tax must be begun within 5 years after the assessment.

(5) If the assessment of a tax is made within the period of limitation, the tax may be collected by a proceeding in court if begun within 5 years after the date of assessment.

(6) If, before the expiration of the time prescribed in subsection (1) for the assessment of the tax, the department and the taxpayer consent in writing to an extension of time for the assessment of the tax, the tax may be assessed at any time before the expiration of the extension period. The extension period may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

(7) The period of time during which a tax must be assessed or collection proceedings commenced under [sections 1 through 43] is suspended during the period from the date of a filing of a petition in bankruptcy until 30 days after notice to the department that the bankruptcy proceedings have been closed or dismissed or that the automatic stay has been terminated or has expired. The suspension of the statute of limitations under this subsection applies to the person against whom the petition in bankruptcy is filed and to any other person who may be wholly or partially liable for the tax under [sections 1 through 43].

NEW SECTION. Section 35. Refunds — time limitations. (1) A person who, pursuant to the provisions of [sections 1 through 43], has paid to the department an amount of tax in excess of the amount legally due for a period may file with the department a claim for a refund of the excess, subject to the conditions specified in subsection (4). Except as provided in subsection (3), no claim may be entertained unless filed within 2 years after the tax was paid or within 3 years from the filing of the return, whichever period is longer. The department shall examine the claim, make and file written findings denying or allowing the claim in whole or in part, and mail a notice to the person at the address stated on the claim. An allowance must include interest on the excess at the rate of 5/6 of 1% a month from the date the excess was paid or collected until the date it is refunded or credited. If the claim is allowed in whole or in part, the department shall credit the amount of the allowance against any taxes under [sections 1 through 43] due from the claimant. If the allowance exceeds the amount due, the department shall

issue a warrant for the refund of the excess paid out of the proceeds of the taxes imposed by [sections 1 through 43].

(2) If the claim is denied in whole or in part, the claimant may commence an action against the department to recover the amount claimed. The action may be brought in the district court in the county of the claimant's residence or principal place of business or, if an estate or trust, the principal place of its administration or in the district court for the first judicial district. The action may be commenced after the expiration of 6 months from the filing of the claim if the department has not taken final action by that time, and it must be commenced within 18 months after mailing of the notice of denial of the claim.

(3) If the department and the person required to file the return, within the periods prescribed in subsection (1), have consented in writing to an extension of time for the assessment of the tax under the provisions of [section 34(6)], the period within which a claim for refund may be filed or a refund may be made or allowed if no claim is filed is the period to which the department and the taxpayer have consented, except that the period within which a claim for refund may be filed may not expire prior to 2 years after the tax was paid.

(4) If a vendor has collected from a purchaser and remitted to the state a tax on a transaction that is not subject to the tax imposed by [sections 1 through 43], the tax is refundable to the vendor only if and to the extent that it will be credited to amounts owed the vendor by the purchaser or returned to the purchaser by the vendor.

NEW SECTION. Section 36. Administration — rules. The department shall:

(1) administer and enforce the assessment and collection of the taxes imposed by [sections 1 through 43];

(2) cause to be prepared and distributed such forms and information as may be necessary to administer the provisions of [sections 1 through 43]; and

(3) promulgate such rules as may be necessary to administer and enforce the provisions of [sections 1 through 43].

NEW SECTION. Section 37. Revocation of corporate license to do business in state. If a retailer required to collect the tax imposed pursuant to [section 3 or 14] fails to comply with any of the provisions of [sections 1 through 43] or any rule of the department prescribed and adopted under [sections 1 through 43], the department, if the retailer is a corporation authorized to do business in Montana, may for reasonable cause certify to the secretary of state a copy of an order finding that the retailer has failed to comply with certain specified statutory provisions or rules. The secretary of state shall, upon receipt of the certification, revoke the license authorizing the corporation to do business in Montana and shall issue a new license only when the corporation has obtained from the department an order finding that the corporation has complied with its obligations under [sections 1 through 43]. No order authorized in this section may be made until the retailer is given an opportunity to be heard and to show cause why such order should not be made, and he must be given 30 days' notice of the time and place of the hearing and the reason for the proposed order.

NEW SECTION. Section 38. Penalties. (1) If a tax or portion of a tax imposed by [sections 1 through 43] is not paid within the time specified for the payment, within an extension period, or within 30 days after final determination of an appeal to the tax court and if the taxpayer is not required to pay the amount in dispute pending appeal under [section 39], a penalty equal to 10% of the amount remaining unpaid must be added to the amount due.

(2) In case of a failure to make and file a return within the time prescribed by [sections 1 through 43], there must be added to the tax in lieu of the 10% penalty provided in subsection (1), an additional 10% if the failure is for not more than 30 days, with an additional 5% for each additional 30 days or fraction thereof during which the failure continues, not exceeding 25% in the aggregate. If the penalty as computed does not exceed \$10, a minimum penalty of \$10 must be assessed. The amount so added to a tax must be collected at the same time, in the same manner, and as a part of the tax unless the tax has been paid before the discovery of the negligence, in which case the amount so added must be collected in the same manner as the tax.

(3) If a person willfully fails to file a return, fails to make a payment required by [sections 1 through 43], willfully files a false or fraudulent return, or willfully attempts in any manner to evade or defeat the tax or payment thereof, there must also be imposed on him as a penalty an amount equal to 50% of the tax (less any amounts paid by him on the basis of such false or fraudulent return) found due for the period to which the return relates. The penalty imposed by this subsection must be collected as part of the tax and is in addition to any other penalties, civil or criminal, provided by this section.

(4) (a) In addition to any other penalties prescribed, a person is guilty of a misdemeanor, unless the amount of the tax involved exceeds \$300, who:

(i) willfully fails to make a return;

(ii) willfully makes a false return;

(iii) willfully fails to pay taxes imposed by [sections 1 through 43] collected for or on behalf of the state;

(iv) attempts in any manner to evade or defeat the taxes imposed by [sections 1 through 43]; or

(v) willfully aids, assists in, procures, counsels, or advises the preparation or presentation, under or in connection with any matter arising under this section, of a return, affidavit, claim, or other document that is fraudulent or false as to any material matter, whether or not the falsity or fraud is with the knowledge or consent of the person authorized or required to present the return, affidavit, claim, or other document.

(b) If the amount of tax described in subsection (4)(a) exceeds \$300, the person is guilty of a felony.

(c) The term "person", as used in this subsection, means a person as defined in [section 2] and includes an officer or employee of a corporation or a member or employee of a partnership who as an officer, member, or employee is under a duty to perform the act in respect to which the violation occurs.

(d) An indictment on any criminal offense specified in this subsection may be discovered and filed in the proper court within 6 years after the commission of the offense.

(5) All payments received may, in the discretion of the director, be credited first to the oldest liability not secured by a judgment or lien, but in all cases they must be credited first to penalties, next to interest, and then to the tax due.

(6) The amount of tax not timely paid, together with the penalty provided by this section, bears interest at the rate of $\frac{5}{6}$ of 1% a month from the time the tax should have been paid until paid. Any interest and penalty must be added to the tax and collected as a part thereof.

NEW SECTION. Section 39. Payment of tax pending appeal. (1) If a taxpayer appeals any liability assessed under [sections 1 through 43] to the state tax appeal board or to a court of competent jurisdiction and the amount in dispute is more than \$6,000, the entire amount of the tax, penalty, and interest assessed by the department must be paid at the time it is due unless permission to continue prosecution of the appeal without payment is obtained as provided in subsection (2).

(2) The appellant, upon 10 days' notice to the department, may apply to the board or the court, as appropriate, for permission to continue prosecution of the appeal without payment. The board or the court may permit the appellant to continue prosecution of the appeal without payment or may fix a lesser amount to be paid as a condition of continuing the prosecution of the appeal. If an appeal is made, it is necessary to show:

(a) that the proposed review is to be taken in good faith;

(b) that there is probable cause to believe that the taxpayer may be held exempt from payment of the liability or that the liability may be determined to be less than 50% of the amount due; and

(c) that it would work a substantial hardship upon the appellant to pay the liability.

(3) Failure to make payment of the amount required when due automatically dismisses the appeal and all proceedings thereunder unless the payment is waived by an order of the board or the court permitting the appellant to continue prosecution of the appeal without payment.

NEW SECTION. Section 40. Tax as debt. (1) The tax imposed by [sections 1 through 43] and related interest and penalties become a personal debt of the person required to file a return from the time the liability arises, regardless of when the time for payment of such liability occurs.

(2) In the case of an executor or administrator of the estate of a decedent or in the case of a fiduciary, the debt is that of the person in his official or fiduciary capacity only, unless he has voluntarily distributed the assets held in such capacity without reserving sufficient assets to pay the tax, interest, and penalties, in which event he is personally liable for any deficiency.

NEW SECTION. Section 41. Investigatory and subpoena powers — examiners. (1) For the purpose of determining the correctness of

a return or of determining whether a person should have made a return or paid taxes required under [sections 1 through 43] or for the purpose of collection of any such taxes, the department is authorized to examine or cause to be examined any books, papers, records, or memoranda which may be relevant to making such determination, whether such books, papers, records, or memoranda are the property of or in the possession of such person or any other person. The department is further authorized to:

- (a) require the attendance of any person having knowledge or information that may be relevant;
- (b) compel the production of books, papers, records, or memoranda by persons required to attend;
- (c) take testimony on matters material to the determination; and
- (d) administer oaths or affirmations.

(2) For the purpose of making the examinations authorized in subsection (1), the director may appoint examiners as necessary. An examiner has all the rights and powers authorized for the department in subsection (1).

(3) The clerk of court, upon demand of the director or any examiner, shall issue a subpoena for the attendance of any witness or the production of any books, papers, records, or memoranda. The director may also issue subpoenas. Disobedience of subpoenas issued under this section is punishable by the district court of the first judicial district in the same manner as contempt of the district court.

NEW SECTION. Section 42. Information — confidentiality — agreements. (1) It is unlawful for any department employee or any other public official or employee to divulge or otherwise make known any information disclosed in a report or return required by [sections 1 through 43] or any information concerning the affairs of the person making the return acquired from his records, officers, or employees in an examination or audit under the authority of [sections 1 through 43], except in connection with a proceeding involving taxes due under [sections 1 through 43] from the taxpayer making such report or return or to comply with the provisions of subsection (2). Nothing may be construed to prohibit the department from publishing statistics so classified as to not disclose the identity of particular returns or reports and the contents thereof. A person violating the provisions of this section is subject to the penalty provided for violating the confidentiality of individual income tax information as provided in 15-30-303.

(2) (a) The director may enter into an agreement with the taxing officials of another state for the interpretation and administration of the laws of their several states providing for the collection of a sales and/or use tax to promote fair and equitable administration of such laws and to eliminate double taxation.

(b) The director, in order to implement the purposes of [sections 1 through 43], may furnish information on a reciprocal basis to the taxing officials of another state or to the taxing officials of a municipality of the state of Montana that has a local sales and use tax.

(3) In order to facilitate processing of returns and payments of taxes required by [sections 1 through 43], the department may contract with vendors and may disclose private and nonpublic data to

the vendors. The data disclosed must be administered by the vendor in a manner consistent with this section.

NEW SECTION. Section 43. Sales and use tax account — administration and enforcement account. (1) There is within the state special revenue fund a sales and use tax account.

(2) All money collected under [sections 1 through 43] must be paid by the department into the sales and use tax account.

NEW SECTION. Section 44. Per capita fee for expenses of enforcing livestock and poultry laws. (1) In addition to appropriations made for such purposes, a per capita fee is authorized and directed to be paid on all livestock and poultry in this state for the purpose of aiding in the payment of the expenses, including salaries, connected with the administration and enforcement of the livestock and poultry laws of the state, for predator control, and for the payment of bounties on wild animals.

(2) As used in this section, "livestock" means cattle, sheep, swine, goats, horses, mules, and asses.

NEW SECTION. Section 45. Board of livestock to prescribe per capita fee. (1) The board of livestock shall annually prescribe the per capita fee for livestock and poultry of all classes for the payment of the expenses, including salaries, connected with the administration and enforcement of the livestock and poultry laws of the state and the payment of bounties on wild animals.

(2) The per capita fee must be calculated each year to provide not more than 110% of the average annual revenue generated in the 3 previous years, beginning with revenue generated in taxable years 1985, 1986, and 1987 by 15-24-922, 81-7-104, and 81-7-118, as those sections read in those years. The calculation must include a factor to account for nonpayment and late payment of fees.

NEW SECTION. Section 46. Collection of fee. (1) On or before January 15 of each year, an owner of livestock or poultry or his agent shall make and deliver to the board of livestock a verified statement showing as of January 1 the number of each kind of livestock or poultry within the state belonging to him or under his charge, with their marks and brands and the county in which the majority of the livestock or poultry is located.

(2) Upon determination of the numbers of each class of livestock and poultry and assessment of the amount of the levy set by the board of livestock, the county treasurer shall send to each owner or agent who filed a report a statement indicating the total fee due for the year, the fact that payment is to be made to the county treasurer on or before June 1 following assessment of the fee, and the penalty and lien provisions that apply.

(3) The county treasurer may withhold 2% of the money received for the per capita fee for livestock and poultry as reimbursement to the county for the collection of the fee on livestock and poultry.

NEW SECTION. Section 47. Transmission of fees from county to state treasurer. Except for the money withheld by the county, the fees levied and the money collected pursuant to the provisions of [sections 44 through 48] must be transmitted to the state treasurer by the county treasurer of each county, as provided in 15-1-504 but not later than July 1 following assessment. The county treasurer

shall designate the amount received from the fee paid on poultry, the amount received from the fee paid on sheep, and the amount received from the fee paid on all other livestock and shall specify the separate amounts in his report to the state treasurer. The money, when received by the state treasurer, must be deposited to the credit of the department of livestock.

NEW SECTION. Section 48. Penalty for failure to file statement on livestock or poultry — lien upon real and personal property. (1) If a person who is the owner of livestock or poultry within the state fails to file or have his agent file the statement required in [section 46], the county treasurer shall, after 10 days' notice to the person who failed to file the statement, assess the fee imposed by [sections 44 through 48] based on the board of livestock's estimate of the number of livestock or poultry owned by the person in the state. The county treasurer shall add a 10% penalty to the assessment.

(2) The fee imposed pursuant to [sections 44 through 48] is a lien upon the real and personal property of the livestock or poultry owner who fails to pay the fees on or before June 1 following assessment and is to be collected under the tax lien enforcement provisions of Title 15.

NEW SECTION. Section 49. Credit for sales and use tax. (1) There is a credit of \$15 for each exemption claimed under 15-30-112 against tax liability under this chapter.

(2) If the amount of credit allowed in this section exceeds the amount of tax liability under this chapter by \$1 or more, the department shall refund the amount in excess. If the excess is less than \$1, the department may not make a refund.

Section 50. Section 7-1-2111, MCA, is amended to read:

"7-1-2111. Classification of counties. (1) For the purpose of regulating the compensation and salaries of all county officers, not otherwise provided for, and for fixing the penalties of officers' bonds, the several counties of this state shall be classified according to that percentage of the true and full valuation of the property therein upon which the tax levy is made, as follows:

- (a) first class—all counties having such a taxable valuation of \$50 million or over;
- (b) second class—all counties having such a taxable valuation of more than \$30 million and less than \$50 million;
- (c) third class—all counties having such a taxable valuation of more than \$20 million and less than \$30 million;
- (d) fourth class—all counties having such a taxable valuation of more than \$15 million and less than \$20 million;
- (e) fifth class—all counties having such a taxable valuation of more than \$10 million and less than \$15 million;
- (f) sixth class—all counties having such a taxable valuation of more than \$5 million and less than \$10 million;
- (g) seventh class—all counties having such a taxable valuation of less than \$5 million.

(2) As used in this section, taxable valuation means the taxable value of taxable property in the county as of the time of determination plus:

(a) that portion of the taxable value of the county on December 31, 1981, attributable to automobiles and trucks having a rated capacity of three-quarters of a ton or less; ~~and~~

(b) the amount of new production taxes levied, as provided in 15-23-607, divided by the appropriate tax rates described in 15-23-607(2)(a) or (2)(b) and multiplied by 60%; ~~and~~

(c) 13.8% of the total taxable value of the county on December 31, 1986."

Section 51. Section 7-3-1321, MCA, is amended to read:

"7-3-1321. Authorization to incur indebtedness — limitation. (1) The consolidated municipality may borrow money or issue bonds for any municipal purpose to the extent and in the manner provided by the constitution and laws of Montana for the borrowing of money or issuing of bonds by counties and cities and towns.

(2) The municipality may not become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding ~~28%~~ 32.5% of the taxable value of the taxable property therein, as ascertained by the last assessment for state and county taxes prior to incurring such indebtedness. All warrants, bonds, or obligations in excess of such amount given by or on behalf of the municipality shall be void."

Section 52. Section 7-6-2211, MCA, is amended to read:

"7-6-2211. Authorization to conduct county business on a cash basis. (1) In case the total indebtedness of a county, lawful when incurred, exceeds the limit of ~~23%~~ 27% established in 7-7-2101 by reason of great diminution of taxable value, the county may conduct its business affairs on a cash basis and pay the reasonable and necessary current expenses of the county out of the cash in the county treasury derived from its current revenue and under such restrictions and regulations as may be imposed by the board of county commissioners of the county by a resolution duly adopted and included in the minutes of the board.

(2) Nothing in this section restricts the right of the board to make the necessary tax levies for interest and sinking fund purposes, and nothing in this section affects the right of any creditor of the county to pursue any remedy now given him by law to obtain payment of his claim."

Section 53. Section 7-6-4121, MCA, is amended to read:

"7-6-4121. Authorization to conduct municipal business on a cash basis. (1) In case the total indebtedness of a city or town has reached ~~17%~~ 20% of the total taxable value of the property of the city or town subject to taxation, as ascertained by the last assessment for state and county taxes, the city or town may conduct its affairs and business on a cash basis as provided by subsection (2).

(2) (a) Whenever a city or town is conducting its business affairs on a cash basis, the reasonable and necessary current expenses of the city or town may be paid out of the cash in the city or town treasury and derived from its current revenues, under such restrictions and regulations as the city or town council may by ordinance prescribe.

(b) In the event that payment is made in advance, the city or town may require a cash deposit as collateral security and indemnity,

equal in amount to such payment, and may hold the same as a special deposit with the city treasurer or town clerk, in package form, as a pledge for the fulfillment and performance of the contract or obligation for which the advance is made.

(c) Before the payment of the current expenses mentioned above, the city or town council shall first set apart sufficient money to pay the interest upon its legal, valid, and outstanding bonded indebtedness and any sinking funds therein provided for and shall be authorized to pay all valid claims against funds raised by tax especially authorized by law for the purpose of paying such claims."

Section 54. Section 7-6-4254, MCA, is amended to read:

"7-6-4254. Limitation on amount of emergency budgets and appropriations. (1) The total of all emergency budgets and appropriations made therein in any one year and to be paid from any city fund may not exceed ~~38%~~ 44% of the total amount which could be produced for such city fund by a maximum levy authorized by law to be made for such fund, as shown by the last completed assessment roll of the county.

(2) The term "taxable property", as used herein, means the percentage of the value at which such property is assessed and which percentage is used for the purposes of computing taxes and does not mean the assessed value of such property as the same appears on the assessment roll."

Section 55. Section 7-7-107, MCA, is amended to read:

"7-7-107. Limitation on amount of bonds for city-county consolidated units. (1) Except as provided in 7-7-108, no city-county consolidated local government may issue bonds for any purpose which, with all outstanding indebtedness, may exceed ~~39%~~ 45% of the taxable value of the property therein subject to taxation as ascertained by the last assessment for state and county taxes.

(2) The issuing of bonds for the purpose of funding or refunding outstanding warrants or bonds is not the incurring of a new or additional indebtedness but is merely the changing of the evidence of outstanding indebtedness."

Section 56. Section 7-7-108, MCA, is amended to read:

"7-7-108. Authorization for additional indebtedness for water or sewer systems. (1) For the purpose of constructing a sewer system or procuring a water supply or constructing or acquiring a water system for a city-county consolidated government which shall own and control such water supply and water system and devote the revenues therefrom to the payment of the debt, a city-county consolidated government may incur an additional indebtedness by borrowing money or issuing bonds.

(2) The additional indebtedness which may be incurred by borrowing money or issuing bonds for the construction of a sewer system or for the procurement of a water supply or for both such purposes may not in the aggregate exceed 10% over and above the ~~39%~~ 45% referred to in 7-7-107 of the taxable value of the property therein subject to taxation as ascertained by the last assessment for state and county taxes."

Section 57. Section 7-7-2101, MCA, is amended to read:

"7-7-2101. Limitation on amount of county indebtedness. (1) No county may become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding ~~23%~~ 27% of the total of the taxable value of the property therein subject to taxation, plus the amount of new production taxes levied divided by the appropriate tax rates described in 15-23-607(2)(a) or (2)(b) and multiplied by 60%, as ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness.

(2) No county may incur indebtedness or liability for any single purpose to an amount exceeding \$500,000 without the approval of a majority of the electors thereof voting at an election to be provided by law, except as provided in 7-21-3413 and 7-21-3414.

(3) Nothing in this section shall apply to the acquisition of conservation easements as set forth in Title 76, chapter 6."

Section 58. Section 7-7-2203, MCA, is amended to read:

"7-7-2203. Limitation on amount of bonded indebtedness. (1) Except as provided in subsections (2) through (4), no county may issue general obligation bonds for any purpose which, with all outstanding bonds and warrants except county high school bonds and emergency bonds, will exceed ~~11.25%~~ 13% of the total of the taxable value of the property therein, plus the amount of new production taxes levied divided by the appropriate tax rates described in 15-23-607(2)(a) or (2)(b) and multiplied by 60%, to be ascertained by the last assessment for state and county taxes prior to the proposed issuance of bonds.

(2) In addition to the bonds allowed by subsection (1), a county may issue bonds which, with all outstanding bonds and warrants, will not exceed ~~27.75%~~ 32% of the total of the taxable value of the property in the county subject to taxation, plus the amount of new production taxes levied divided by the appropriate tax rates described in 15-23-607(2)(a) or (2)(b) and multiplied by 60%, when necessary to do so, for the purpose of acquiring land for a site for county high school buildings and for erecting or acquiring buildings thereon and furnishing and equipping the same for county high school purposes.

(3) In addition to the bonds allowed by subsections (1) and (2), a county may issue bonds for the construction or improvement of a jail which will not exceed ~~12.5%~~ 14.5% of the taxable value of the property in the county subject to taxation.

(4) The limitation in subsection (1) shall not apply to refunding bonds issued for the purpose of paying or retiring county bonds lawfully issued prior to January 1, 1932."

Section 59. Section 7-7-4201, MCA, is amended to read:

"7-7-4201. Limitation on amount of bonded indebtedness. (1) Except as otherwise provided, no city or town may issue bonds or incur other indebtedness for any purpose in an amount which with all outstanding and unpaid indebtedness will exceed ~~28%~~ 32.5% of the taxable value of the property therein subject to taxation, to be ascertained by the last assessment for state and county taxes.

(2) The issuing of bonds for the purpose of funding or refunding outstanding warrants or bonds is not the incurring of a new or additional indebtedness but is merely the changing of the evidence of outstanding indebtedness."

Section 60. Section 7-7-4202, MCA, is amended to read:

“7-7-4202. Special provisions relating to water and sewer systems. (1) Notwithstanding the provisions of 7-7-4201, for the purpose of constructing a sewer system, procuring a water supply, or constructing or acquiring a water system for a city or town which owns and controls the water supply and water system and devotes the revenues therefrom to the payment of the debt, a city or town may incur an additional indebtedness by borrowing money or issuing bonds.

(2) The additional total indebtedness that may be incurred by borrowing money or issuing bonds for the construction of a sewer system, for the procurement of a water supply, or for both such purposes, including all indebtedness theretofore contracted which is unpaid or outstanding, may not in the aggregate exceed 55% over and above the ~~28%~~ 32.5%, referred to in 7-7-4201, of the taxable value of the property therein subject to taxation as ascertained by the last assessment for state and county taxes.”

Section 61. Section 7-13-4103, MCA, is amended to read:

“7-13-4103. Limitation on indebtedness for acquisition of natural gas system. The total amount of indebtedness authorized to be contracted in any form, including the then-existing indebtedness, must not at any time exceed ~~17%~~ 20% of the total taxable value of the property of the city or town subject to taxation as ascertained by the last assessment for state and county taxes.”

Section 62. Section 7-14-236, MCA, is amended to read:

“7-14-236. Limitation on bonded indebtedness. The amount of bonds issued to provide funds for the district and outstanding at any time shall not exceed ~~28%~~ 32.5% of the taxable value of taxable property therein as ascertained by the last assessment for state and county taxes previous to the issuance of such bonds.”

Section 63. Section 7-14-2524, MCA, is amended to read:

“7-14-2524. Limitation on amount of bonds issued — excess void. (1) Except as otherwise provided hereafter and in 7-7-2203 and 7-7-2204, no county shall issue bonds which, with all outstanding bonds and warrants except county high school bonds and emergency bonds, will exceed ~~11.25%~~ 13% of the total of the taxable value of the property therein, plus the amount of new production taxes levied divided by the appropriate tax rates described in 15-23-607(2)(a) or (2)(b) and multiplied by 60%. The taxable property and the amount of new production taxes levied shall be ascertained by the last assessment for state and county taxes prior to the issuance of such bonds.

(2) A county may issue bonds which, with all outstanding bonds and warrants except county high school bonds, will exceed ~~11.25%~~ 13% but will not exceed ~~22.5%~~ 26.5% of the total of the taxable value of such property, plus the amount of new production taxes levied divided by the appropriate tax rates described in 15-23-607(2)(a) or (2)(b) and multiplied by 60%, when necessary for the purpose of replacing, rebuilding, or repairing county buildings, bridges, or highways which have been destroyed or damaged by an act of God, disaster, catastrophe, or accident.

(3) The value of the bonds issued and all other outstanding indebtedness of the county, except county high school bonds, shall

not exceed ~~22.5%~~ 26.5% of the total of the taxable value of the property within the county, plus the amount of new production taxes levied divided by the appropriate tax rates described in 15-23-607(2)(a) or (2)(b) and multiplied by 60%, as ascertained by the last preceding general assessment.”

Section 64. Section 7-14-2525, MCA, is amended to read:

“7-14-2525. Refunding agreements and refunding bonds authorized. (1) Whenever the total indebtedness of a county exceeds ~~22.5%~~ 26.5% of the total of the taxable value of the property therein, plus the amount of new production taxes levied divided by the appropriate tax rates described in 15-23-607(2)(a) or (2)(b) and multiplied by 60%, and the board determines that the county is unable to pay such indebtedness in full, the board may:

(a) negotiate with the bondholders for an agreement whereby the bondholders agree to accept less than the full amount of the bonds and the accrued unpaid interest thereon in satisfaction thereof;

(b) enter into such agreement;

(c) issue refunding bonds for the amount agreed upon.

(2) These bonds may be issued in more than one series, and each series may be either amortization or serial bonds.

(3) The plan agreed upon between the board and the bondholders shall be embodied in full in the resolution providing for the issue of the bonds.”

Section 65. Section 7-14-4402, MCA, is amended to read:

“7-14-4402. Limit on indebtedness to provide bus service. The total amount of indebtedness authorized under 7-14-4401(1) to be contracted in any form, including the then-existing indebtedness, may not at any time exceed ~~28%~~ 32.5% of the total taxable value of the property of the city or town subject to taxation as ascertained by the last assessment for state and county taxes. No money may be borrowed or bonds issued for the purposes specified in 7-14-4401(1) until the proposition has been submitted to the vote of the taxpayers of the city or town and the majority vote cast in its favor.”

Section 66. Section 7-16-2327, MCA, is amended to read:

“7-16-2327. Indebtedness for park purposes. (1) Subject to the provisions of subsection (2), a county park board, in addition to powers and duties now given under law, shall have the power and duty to contract an indebtedness in behalf of a county, upon the credit thereof, for the purposes of 7-16-2321(1) and (2).

(2) (a) The total amount of indebtedness authorized to be contracted in any form, including the then-existing indebtedness, must not at any time exceed ~~13%~~ 15% of the total of the taxable value of the taxable property in the county, plus the amount of new production taxes levied divided by the appropriate tax rates described in 15-23-607(2)(a) or (2)(b) and multiplied by 60%, ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness.

(b) No money may be borrowed on bonds issued for the purchase of lands and improving same for any such purpose until the proposition has been submitted to the vote of those qualified under the

provisions of the state constitution to vote at such election in the county affected thereby and a majority vote is cast in favor thereof.”

Section 67. Section 7-16-4104, MCA, is amended to read:

“7-16-4104. Authorization for municipal indebtedness for various cultural, social, and recreational purposes. (1) A city or town council or commission may contract an indebtedness on behalf of the city or town, upon the credit thereof, by borrowing money or issuing bonds:

(a) for the purpose of purchasing and improving lands for public parks and grounds;

(b) for procuring by purchase, construction, or otherwise swimming pools, athletic fields, skating rinks, playgrounds, museums, a golf course, a site and building for a civic center, a youth center, or combination thereof; and

(c) for furnishing and equipping the same.

(2) The total amount of indebtedness authorized to be contracted in any form, including the then-existing indebtedness, may not at any time exceed ~~16.5%~~ 19.5% of the taxable value of the taxable property of the city or town as ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness. No money may be borrowed on bonds issued for the purchase of lands and improving the same for any such purpose until the proposition has been submitted to the vote of the qualified electors of the city or town and a majority vote is cast in favor thereof.”

Section 68. Section 7-31-106, MCA, is amended to read:

“7-31-106. Authorization for county to issue bonds — election required. (1) If the petition is presented to the board of county commissioners, it shall be the duty of the board, for the purpose of raising money to meet the payments under the terms and conditions of said contract and other necessary and proper expenses in and about the same and for the approval or disapproval thereof:

(a) to ascertain, within 30 days after submission of the petition, the existing indebtedness of the county in the aggregate; and

(b) to submit, within 60 days after ascertaining the same, to the electors of such county the proposition to approve or disapprove the contract and the issuance of bonds necessary to carry out the same.

(2) The amount of the bonds authorized by this section may not exceed ~~22.5%~~ 26% of the taxable value of the taxable property therein, inclusive of the existing indebtedness thereof, to be ascertained by the last assessment for state and county taxes previous to the issuance of said bonds and incurring of said indebtedness.”

Section 69. Section 7-31-107, MCA, is amended to read:

“7-31-107. Authorization for municipality to issue bonds — election required. (1) If said petition is presented to the council of any incorporated city or town, the council, for the purpose of raising money to meet the payments under the terms and conditions of said contract and other necessary and proper expenses in and about the same and for the approval or disapproval thereof:

(a) shall ascertain, within 30 days after submission of the petition, the aggregate indebtedness of such city or town; and

(b) shall submit, within 60 days after ascertaining the same, to the electors of such city or town the proposition to approve or disapprove said contract and the issuance of bonds necessary to carry out the same.

(2) The amount of the bonds authorized by this section may not exceed ~~16.5%~~ 19.5% of the taxable value of the taxable property therein, inclusive of the existing indebtedness thereof, to be ascertained in the manner provided in this part."

Section 70. Section 7-34-2131, MCA, is amended to read:

"7-34-2131. Hospital district bonds authorized. (1) A hospital district may borrow money by the issuance of its bonds to provide funds for payment of part or all of the cost of acquisition, furnishing, equipment, improvement, extension, and betterment of hospital facilities and to provide an adequate working capital for a new hospital.

(2) The amount of bonds issued for such purpose and outstanding at any time may not exceed ~~22.5%~~ 26% of the taxable value of the property therein as ascertained by the last assessment for state and county taxes previous to the issuance of such bonds.

(3) Such bonds shall be authorized, sold, and issued and provisions made for their payment in the manner and subject to the conditions and limitations prescribed for bonds of second- or third-class school districts by Title 20, chapter 9, part 4.

(4) Nothing herein shall be construed to preclude the provisions of Title 50, chapter 6, part 1, allowing the state to apply for and accept federal funds."

Section 71. Section 20-9-406, MCA, is amended to read:

"20-9-406. Limitations on amount of bond issue. (1) The maximum amount for which each school district may become indebted by the issuance of bonds, including all indebtedness represented by outstanding bonds of previous issues and registered warrants, is ~~45%~~ 52% of the taxable value of the property subject to taxation as ascertained by the last completed assessment for state, county, and school taxes previous to the incurring of such indebtedness. The ~~45%~~ 52% maximum, however, may not pertain to indebtedness imposed by special improvement district obligations or assessments against the school district. All bonds issued in excess of such amount shall be null and void, except as provided in this section.

(2) When the total indebtedness of a school district has reached the ~~45%~~ 52% limitation prescribed in this section, the school district may pay all reasonable and necessary expenses of the school district on a cash basis in accordance with the financial administration provisions of this chapter.

(3) Whenever bonds are issued for the purpose of refunding bonds, any moneys to the credit of the debt service fund for the payment of the bonds to be refunded are applied towards the payment of such bonds and the refunding bond issue is decreased accordingly."

Section 72. Section 20-9-407, MCA, is amended to read:

"20-9-407. Industrial facility agreement for bond issue in excess of maximum. (1) In a school district within which a new major industrial facility which seeks to qualify for taxation as class five property

under 15-6-135 is being constructed or is about to be constructed, the school district may require, as a precondition of the new major industrial facility qualifying as class five property, that the owners of the proposed industrial facility enter into an agreement with the school district concerning the issuing of bonds in excess of the ~~45%~~ 52% limitation prescribed in 20-9-406. Under such an agreement, the school district may, with the approval of the voters, issue bonds which exceed the limitation prescribed in this section by a maximum of ~~45%~~ 52% of the estimated taxable value of the property of the new major industrial facility subject to taxation when completed. The estimated taxable value of the property of the new major industrial facility subject to taxation shall be computed by the department of revenue when requested to do so by a resolution of the board of trustees of the school district. A copy of the department's statement of estimated taxable value shall be printed on each ballot used to vote on a bond issue proposed under this section.

(2) Pursuant to the agreement between the new major industrial facility and the school district and as a precondition to qualifying as class five property, the new major industrial facility and its owners shall pay, in addition to the taxes imposed by the school district on property owners generally, so much of the principal and interest on the bonds provided for under this section as represents payment on an indebtedness in excess of the limitation prescribed in 20-9-406. After the completion of the new major industrial facility and when the indebtedness of the school district no longer exceeds the limitation prescribed in this section, the new major industrial facility shall be entitled, after all the current indebtedness of the school district has been paid, to a tax credit over a period of no more than 20 years. The credit shall as a total amount be equal to the amount which the facility paid the principal and interest of the school district's bonds in excess of its general liability as a taxpayer within the district.

(3) A major industrial facility is a facility subject to the taxing power of the school district, whose construction or operation will increase the population of the district, imposing a significant burden upon the resources of the district and requiring construction of new school facilities. A significant burden is an increase in ANB of at least 20% in a single year."

Section 73. Section 15-1-101, MCA, is amended to read:

"15-1-101. Definitions. (1) Except as otherwise specifically provided, when terms mentioned in this section are used in connection with taxation, they are defined in the following manner:

(a) The term "agricultural" refers to the raising of livestock, poultry, bees, and other species of domestic animals and wildlife in domestication or a captive environment, and the raising of field crops, fruit, and other animal and vegetable matter for food or fiber.

(b) The term "assessed value" means the value of property as defined in 15-8-111.

(c) The term "average wholesale value" means the value to a dealer prior to reconditioning and profit margin shown in national appraisal guides and manuals or the valuation schedules of the department of revenue.

(d) (i) The term “commercial”, when used to describe property, means any property used or owned by a business, a trade, or a non-profit corporation as defined in 35-2-102 or used for the production of income, except that property described in subsection (ii).

(ii) The following types of property are not commercial:

(A) agricultural lands;

(B) timberlands;

(C) single-family residences and ancillary improvements and improvements necessary to the function of a bona fide farm, ranch, or stock operation;

(D) mobile homes used exclusively as a residence except when held by a distributor or dealer of trailers or mobile homes as his stock in trade; and

(E) all property described in 15-6-135;

~~(F) all property described in 15-6-136; and~~

~~(G) all property described in 15-6-146.~~

(e) The term “comparable property” means property that has similar use, function, and utility; that is influenced by the same set of economic trends and physical, governmental, and social factors; and that has the potential of a similar highest and best use.

(f) The term “credit” means solvent debts, secured or unsecured, owing to a person.

(g) The term “improvements” includes all buildings, structures, fences, and improvements situated upon, erected upon, or affixed to land. When the department of revenue or its agent determines that the permanency of location of a mobile home or housetrailer has been established, the mobile home or housetrailer is presumed to be an improvement to real property. A mobile home or housetrailer ~~may be determined to be permanently located only when it is attached to a foundation which cannot feasibly be relocated and only when the wheels are removed used as a residence is an improvement, whether or not it is affixed to the land.~~

(h) The term “leasehold improvements” means improvements to mobile homes and mobile homes located on land owned by another person. This property is assessed under the appropriate classification and the taxes are due and payable in two payments as provided in ~~15-24-202~~ 15-16-102. Delinquent taxes on such leasehold improvements are a lien only on such leasehold improvements.

(i) The term “livestock” means cattle, sheep, swine, goats, horses, mules, and asses.

(j) The term “mobile home” means forms of ~~housing~~ shelter known as “trailers”, “housetrainers”, or “trailer coaches” exceeding 8 feet in width or 45 feet in length, designed to be moved from one place to another by an independent power connected to them, or any “trailer”, “housetrailer”, or “trailer coach” up to 8 feet in width or 45 feet in length used as a principal residence.

(k) The term “personal property” includes everything that is the subject of ownership but that is not included within the meaning of the terms “real estate” and “improvements”.

(l) The term "poultry" includes all chickens, turkeys, geese, ducks, and other birds raised in domestication to produce food or feathers.

(m) The term "property" includes moneys, credits, bonds, stocks, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership. This definition must not be construed to authorize the taxation of the stocks of any company or corporation when the property of such company or corporation represented by the stocks is within the state and has been taxed.

(n) The term "real estate" includes:

(i) the possession of, claim to, ownership of, or right to the possession of land;

(ii) all mines, minerals, and quarries in and under the land subject to the provisions of 15-23-501 and Title 15, chapter 23, part 8; all timber belonging to individuals or corporations growing or being on the lands of the United States; and all rights and privileges appertaining thereto.

(o) The term "taxable value" means the percentage of market or assessed value as provided for in ~~15-6-131 through 15-6-140~~ this title.

(2) The phrase "municipal corporation" or "municipality" or "taxing unit" shall be deemed to include a county, city, incorporated town, township, school district, irrigation district, drainage district, or any person, persons, or organized body authorized by law to establish tax levies for the purpose of raising public revenue.

(3) The term "state board" or "board" when used without other qualification shall mean the state tax appeal board."

Section 74. Section 15-6-133, MCA, is amended to read:

"15-6-133. Class three property — description — taxable percentage. (1) Class three property includes:

(a) agricultural land as defined in 15-7-202; and

(b) timberland, which for the purpose of this section means contiguous land exceeding 15 acres in one ownership that is capable of producing timber that can be harvested in commercial quantity.

(2) Class three property is taxed at the taxable percentage rate "P" 30% of its productive capacity.

~~(3) Until July 1, 1986, the taxable percentage rate "P" for class three property is 30%.~~

~~(4) Prior to July 1, 1986, the department of revenue shall determine the taxable percentage rate "P" applicable to class three property for the revaluation cycle beginning January 1, 1986, as follows:~~

~~(a) The director of the department of revenue shall certify to the governor before July 1, 1986, the percentage by which the appraised value of all property in the state classified under class three as of January 1, 1986, has increased due to the revaluation conducted under 15-7-111. This figure is the "certified statewide percentage increase".~~

~~(b) The taxable value of property in class three is determined as a function of the certified statewide percentage increase in accordance with the table shown below.~~

~~(c) This table limits the statewide increase in taxable valuation resulting from reappraisal to 0%. In calculating the percentage increase, the department may not consider agricultural use changes during calendar year 1986.~~

(d) The taxable percentage must be calculated by interpolation to coincide with the nearest whole number certified statewide percentage increase from the following table:

Certified Statewide Percentage Increase	Class Three Taxable Percentage "P"
0	30.00
10	27.27
20	25.00
30	23.08
40	21.43
50	20.00

(5) After July 1, 1986, no adjustment may be made by the department to the taxable percentage rate "P" until a revaluation has been made as provided in 15-7-111."

Section 75. Section 15-6-134, MCA, is amended to read:

"15-6-134. Class four property — description — taxable percentage.

(1) Class four property includes:

- (a) all land except that specifically included in another class;
- (b) all improvements except those specifically included in another class;
- (c) the first \$35,000 or less of the market value of any improvement on real property and appurtenant land not exceeding 5 acres owned or under contract for deed and actually occupied for at least 10 months a year as the primary residential dwelling of any person whose total income from all sources including otherwise tax-exempt income of all types is not more than \$10,000 for a single person or \$12,000 for a married couple;
- (d) all golf courses, including land and improvements actually and necessarily used for that purpose, that consist of at least 9 holes and not less than 3,000 lineal yards.

(2) Class four property is taxed as follows:

(a) Except as provided in 15-24-1402 or 15-24-1501, property described in subsections (1)(a) and (1)(b) is taxed at the taxable percentage rate "P" 3% of its market value.

(b) Property described in subsection (1)(c) is taxed at the taxable percentage rate "P" 3% of its market value multiplied by a percentage figure based on income and determined from the following table:

Income	Income	Percentage Multiplier
Single Person	Married Couple	
\$0 - \$1,000	\$0 - \$1,200	0%
1,001 - 2,000	1,201 - 2,400	10%
2,001 - 3,000	2,401 - 3,600	20%
3,001 - 4,000	3,601 - 4,800	30%
4,001 - 5,000	4,801 - 6,000	40%
5,001 - 6,000	6,001 - 7,200	50%
6,001 - 7,000	7,201 - 8,400	60%
7,001 - 8,000	8,401 - 9,600	70%
8,001 - 9,000	9,601 - 10,800	80%
9,001 - 10,000	10,801 - 12,000	90%

(c) Property described in subsection (1)(d) is taxed at one-half two-thirds of the taxable percentage rate "P" established in subsection (2)(a).

(3) Until January 1, 1986, the taxable percentage rate "P" for class four property is 8.55%.

(4) Prior to July 1, 1986, the department of revenue shall determine the taxable percentage rate "P" applicable to class four property for the revaluation cycle beginning January 1, 1986, as follows:

(a) The director of the department of revenue shall certify to the governor before July 1, 1986, the percentage by which the appraised value of all property in the state classified under class four as of January 1, 1986, has increased due to the revaluation conducted under 15-7-111. This figure is the certified statewide percentage increase.

(b) The taxable value of property in class four is determined as a function of the certified statewide percentage increase in accordance with the table shown below:

(c) This table limits the statewide increase in taxable valuation resulting from reappraisal to 0%. In calculating the percentage increase, the department may not consider changes resulting from new construction, additions, or deletions during calendar year 1985.

(d) The taxable percentage must be calculated by interpolation to coincide with the nearest whole number certified statewide percentage increase from the following table:

Certified Statewide Percentage Increase	Class Four Taxable Percentage "P"
0	8.56
10	7.77
20	7.12
30	6.57
40	6.10
50	5.70
60	5.34
70	5.02
80	4.75
90	4.50
100	4.27
110	4.07
120	3.88
130	3.71
140	3.56
150	3.42
160	3.28
170	3.16
180	3.05
190	2.94
200	2.85
210	2.75
220	2.67
230	2.59
240	2.51
250	2.44
260	2.37
270	2.31
280	2.25
290	2.19
300	2.13

(5) After July 1, 1986, no adjustment may be made by the department to the taxable percentage rate "P" until a revaluation has been made as provided in 15-7-111.

(6)(3) Within the meaning of comparable property as defined in 15-1-101, property assessed as commercial property is comparable only to other property assessed as commercial property, and property assessed as other than commercial property is comparable only to other property assessed as other than commercial property.

(4) For the purposes of this section, all mobile homes are considered to be improvements."

Section 76. Section 15-6-135, MCA, is amended to read:

"15-6-135. Class five property — description — taxable percentage.

(1) Class five property includes:

(a) all property used and owned by cooperative rural electrical and cooperative rural telephone associations organized under the laws of Montana, except property owned by cooperative organizations described in ~~subsection (1)(e) of 15-6-137~~ 15-6-136(1)(d);

(b) air and water pollution control equipment as defined in this section;

(c) new industrial property as defined in this section;

(d) any personal or real property used primarily in the production of gasohol during construction and for the first 3 years of its operation.

(2) (a) "Air and water pollution equipment" means facilities, machinery, or equipment used to reduce or control water or atmospheric pollution or contamination by removing, reducing, altering, disposing, or storing pollutants, contaminants, wastes, or heat. The department of health and environmental sciences shall determine if such utilization is being made.

(b) The department of health and environmental sciences' determination as to air and water pollution equipment may be appealed to the board of health and environmental sciences and may not be appealed to either a county tax appeal board or the state tax appeal board. However, the appraised value of the equipment as determined by the department of revenue may be appealed to the county tax appeal board and the state tax appeal board.

(3) "New industrial property" means any new industrial plant, including land, buildings, machinery, and fixtures, used by new industries during the first 3 years of their operation. The property may not have been assessed within the state of Montana prior to July 1, 1961.

(4) (a) "New industry" means any person, corporation, firm, partnership, association, or other group that establishes a new plant in Montana for the operation of a new industrial endeavor, as distinguished from a mere expansion, reorganization, or merger of an existing industry.

(b) New industry includes only those industries that:

(i) manufacture, mill, mine, produce, process, or fabricate materials;

(ii) do similar work, employing capital and labor, in which materials unserviceable in their natural state are extracted, processed, or made fit for use or are substantially altered or treated so as to create commercial products or materials; or

(iii) engage in the mechanical or chemical transformation of materials or substances into new products in the manner defined as manufacturing in the 1972 Standard Industrial Classification Manual prepared by the United States office of management and budget.

(5) New industrial property does not include:

(a) property used by retail or wholesale merchants, commercial services of any type, agriculture, trades, or professions;

(b) a plant that will create adverse impact on existing state, county, or municipal services; or

(c) property used or employed in any industrial plant that has been in operation in this state for 3 years or longer.

(6) Class five property is taxed at 3% of its market value."

Section 77. Section 15-6-136, MCA, is amended to read:

"15-6-136. Class six property — description — taxable percentage.

(1) Class six property includes:

(a) ~~livestock, poultry, bees, and other species of domestic animals and wildlife raised in domestication or a captive environment, except for cats, dogs, and other household pets not raised for profit, and the unprocessed products of such animals and wildlife;~~

(b) ~~all unprocessed agricultural products on the farm or in storage except all perishable fruits and vegetables in farm storage and owned by the producer;~~

(e)(a) all items of personal property, including goods and equipment, intended for rent or lease in the ordinary course of business, provided each item of personal property satisfies all of the following: except personal property specifically included in another class;

(i) the full and true value of the personal property is less than \$5,000;

(ii) the personal property is owned by a business whose primary business income is from rental or lease of personal property to individuals wherein no one customer of the business accounts for more than 10% of the total rentals or leases during a calendar year; and

(iii) the lease of the personal property is generally on an hourly, daily, or weekly basis;

(b) all property used and owned by persons, firms, corporations, or other organizations that are engaged in the business of furnishing telephone communications exclusively to rural areas or to rural areas and cities and towns of 800 persons or less;

(c) subject to the provisions of subsection (2), all property owned by cooperative rural electrical and cooperative rural telephone associations that serve less than 95% of the electricity consumers or telephone users within the incorporated limits of a city or town;

(d) electric transformers and meters; electric light and power substation machinery; natural gas measuring and regulating station equipment, meters, and compressor station machinery owned by noncentrally assessed public utilities; and tools used in the repair and maintenance of such property;

(e) tools, implements, and machinery that are not hand-held and that are used to repair and maintain machinery not used for manufacturing and mining purposes;

(f) all agricultural implements and equipment;

(g) all mining machinery, fixtures, equipment, tools, and supplies except those included in class five;

(h) all manufacturing machinery, fixtures, equipment, tools, and supplies except those included in class five;

(i) all other machinery except that specifically included in another class;

(j) all trailers, including those prorated under 15-24-102 but not including those subject to a fee in lieu of property tax;

(k) truck toppers weighing more than 300 pounds;

(l) furniture, fixtures, and equipment, except that specifically included in another class, used in commercial establishments as defined in this section;

(m) x-ray and medical and dental equipment;

(n) citizens' band radios and mobile telephones;

(o) radio and television broadcasting and transmitting equipment;

(p) cable television systems;

(q) coal and ore haulers;

(r) trucks having a rated capacity of more than three-quarters of a ton, including those prorated under 15-24-102 but not including those subject to a fee in lieu of property tax;

(s) theater projectors and sound equipment; and

(t) all other property not included in any other class in this part except that property subject to a fee in lieu of property tax.

(2) To qualify as class six property, the average circuit miles for each station on a telephone communication system described in subsection (1)(c) must be more than 1 mile.

(3) "Commercial establishment" includes any hotel; motel; office; petroleum marketing station; or service, wholesale, retail, or food-handling business.

~~(2)~~(4) Class six property is taxed at ~~4%~~ 6% of its market value."

Section 78. Section 15-6-147, MCA, is amended to read:

"15-6-147. Class seventeen property — description — taxable percentage. (1) Class seventeen property includes all airline transportation property as described in the Tax Equity and Fiscal Responsibility Act of 1982 as it read on January 1, 1986.

(2) For the taxable years 1986 through 1990 class seventeen property is taxed at 12%, and for each taxable year thereafter, class seventeen property is taxed at the lesser of 12% or the taxable percentage rate for class fifteen property without adjustment.

(3) For the purpose of complying with the Tax Equity and Fiscal Responsibility Act of 1982, as it read on January 1, 1986, the taxable

percentage rate "R" referred to in ~~this section~~ subsection (2) is the equalized average tax rate generally applicable to commercial and industrial property, except class seventeen property, as commercial property is defined in 15-1-101(1)(d)."

Section 79. Section 15-6-201, MCA, is amended to read:

"15-6-201. Exempt categories. (1) The following categories of property are exempt from taxation:

(a) the property of:

(i) the United States, the state, counties, cities, towns, school districts, except, if congress passes legislation that allows the state to tax property owned by an agency created by congress to transmit or distribute electrical energy, the property constructed, owned, or operated by a public agency created by the congress to transmit or distribute electric energy produced at privately owned generating facilities (not including rural electric cooperatives);

(ii) irrigation districts organized under the laws of Montana and not operating for profit;

(iii) municipal corporations; and

(iv) public libraries;

(b) buildings, with land they occupy and furnishings therein, owned by a church and used for actual religious worship or for residences of the clergy, together with adjacent land reasonably necessary for convenient use of such buildings;

(c) property used exclusively for agricultural and horticultural societies, for educational purposes, and for hospitals;

(d) property that meets the following conditions:

(i) is owned and held by any association or corporation organized under Title 35, chapter 2, 3, 20, or 21;

(ii) is devoted exclusively to use in connection with a cemetery or cemeteries for which a permanent care and improvement fund has been established as provided for in Title 35, chapter 20, part 3; and

(iii) is not maintained and operated for private or corporate profit;

(e) institutions of purely public charity;

(f) evidence of debt secured by mortgages of record upon real or personal property in the state of Montana;

(g) public art galleries and public observatories not used or held for private or corporate profit;

(h) all household goods and furniture, including but not limited to clocks, musical instruments, sewing machines, and wearing apparel of members of the family, used by the owner for personal and domestic purposes or for furnishing or equipping the family residence;

(i) a truck canopy cover or topper weighing less than 300 pounds and having no accommodations attached. Such property is also exempt from the fee in lieu of tax.

(j) a bicycle, as defined in 61-1-123, used by the owner for personal transportation purposes;

(k) automobiles and trucks having a rated capacity of three-quarters of a ton or less;

(l) motorcycles and quadricycles;

(m) fixtures, buildings, and improvements owned by a cooperative association or nonprofit corporation organized to furnish potable water to its members or customers for uses other than the irrigation of agricultural land;

(n) the right of entry that is a property right reserved in land or received by mesne conveyance (exclusive of leasehold interests), devise, or succession to enter land whose surface title is held by another to explore, prospect, or dig for oil, gas, coal, or minerals;

(o) property owned and used by a corporation or association organized and operated exclusively for the care of the developmentally disabled, mentally ill, or vocationally handicapped as defined in 18-5-101, which is not operated for gain or profit; and

(p) all farm buildings with a market value of less than \$500 and all agricultural implements and machinery with a market value of less than \$100;

(q) the first \$20,000 or less of the market value of any single-family residence, exclusive of land and appurtenant improvements;

(r) all tools, implements, and machinery that are customarily hand-held and that are used to:

(i) construct, repair, and maintain improvements to real property;
or

(ii) repair and maintain machinery, equipment, appliances, and other personal property not used for manufacturing and mining purposes;

(s) all aircraft that are not considered airline transportation property as described in the Tax Equity and Fiscal Responsibility Act of 1982 and thereby included in 15-6-147;

(t) all watercraft; and

(u) all all-terrain vehicles.

(2) (a) The term "institutions of purely public charity" includes organizations owning and operating facilities for the care of the retired or aged or chronically ill, which are not operated for gain or profit.

(b) The terms "public art galleries" and "public observatories" include only those art galleries and observatories, whether of public or private ownership, that are open to the public without charge at all reasonable hours and are used for the purpose of education only.

(3) The following portions of the appraised value of a capital investment made after January 1, 1979, in a recognized nonfossil form of energy generation, as defined in 15-32-102, are exempt from taxation for a period of 10 years following installation of the property:

(a) \$20,000 in the case of a single-family residential dwelling;

(b) \$100,000 in the case of a multifamily residential dwelling or a nonresidential structure. (Subsection (1)(p) applicable to taxable years beginning after December 31, 1985—sec. 4, Ch. 463, L. 1985.)"

Section 80. Section 15-6-207, MCA, is amended to read:

"15-6-207. Agricultural exemptions. (1) The following agricultural products are exempt from taxation:

(a) all unprocessed, perishable fruits and vegetables in farm storage and owned by the producer;

(b) all nonperishable unprocessed agricultural products; ~~except livestock, held in possession of the original producer for less than 7 months following harvest; and~~

(c) ~~except as provided in subsection (1)(d), livestock which have not attained the age of 9 months as of the last day of any month if assessed on the average inventory basis or on March 1 if assessed as provided in 15-24-911(1)(a); and~~

~~(d) swine which have not attained the age of 3 months as of January 1; all livestock, poultry, bees, and other species of domestic animals and wildlife raised in domestication or a captive environment, except:~~

(i) the unprocessed products of such animals and wildlife; and

(ii) cats, dogs, and other household pets not raised for profit.

(2) Any beet digger, beet topper, beet defoliator, beet thinner, beet cultivator, beet planter, or beet top saver designed exclusively to plant, cultivate, and harvest sugar beets is exempt from taxation if such implement has not been used to plant, cultivate, or harvest sugar beets for the 2 years immediately preceding the current assessment date and there are no available sugar beet contracts in the sugar beet grower's marketing area."

Section 81. Section 15-8-111, MCA, is amended to read:

"15-8-111. Assessment — market value standard — exceptions. (1) All taxable property must be assessed at 100% of its market value except as provided in subsection (5) of this section and in 15-7-111 through 15-7-114.

(2) (a) Market value is the value at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of relevant facts.

(b) Except as provided in subsection (3), the market value of all motor trucks; agricultural tools, implements, and machinery; and vehicles of all kinds; ~~including but not limited to aircraft and boats and all watercraft~~; is the average wholesale value shown in national appraisal guides and manuals or the value of the vehicle before reconditioning and profit margin. The department of revenue shall prepare valuation schedules showing the average wholesale value when no national appraisal guide exists.

(3) The department of revenue or its agents may not adopt a lower or different standard of value from market value in making the official assessment and appraisal of the value of property in 15-6-134 through ~~15-6-140 and 15-6-136, 15-6-141, 15-6-145, and 15-6-147~~ through 15-6-149, except:

(a) the wholesale value for agricultural implements and machinery is the loan value as shown in the Official Guide, Tractor and Farm

Equipment, published by the national farm and power equipment dealers association, St. Louis, Missouri; and

(b) for agricultural implements and machinery not listed in the official guide, the department shall prepare a supplemental manual where the values reflect the same depreciation as those found in the official guide.

(4) For purposes of taxation, assessed value is the same as appraised value.

(5) The taxable value for all property in classes four through ~~eleven and six, eleven, fifteen, and seventeen~~ through nineteen is the percentage of market value established for each class of property in 15-6-134 through ~~15-6-141 and~~ 15-6-136, 15-6-141, 15-6-145, and 15-6-147 through 15-6-149.

(6) The assessed value of properties in 15-6-131 through 15-6-133 is as follows:

(a) Properties in 15-6-131, under class one, are assessed at 100% of the annual net proceeds after deducting the expenses specified and allowed by 15-23-503.

(b) Properties in 15-6-132, under class two, are assessed at 100% of the annual gross proceeds.

(c) Properties in 15-6-133, under class three, are assessed at 100% of the productive capacity of the lands when valued for agricultural purposes or at 100% of the combined appraised value of the standing timber and grazing productivity of the land when valued as timberland. All lands that meet the qualifications of 15-7-202 are valued as agricultural lands for tax purposes.

~~(d) Properties in 15-6-143, under class thirteen, are assessed at 100% of the combined appraised value of the standing timber and grazing productivity of the land when valued as timberland.~~

(7) Land and the improvements thereon are separately assessed when any of the following conditions occur:

(a) ownership of the improvements is different from ownership of the land;

(b) the taxpayer makes a written request; or

(c) the land is outside an incorporated city or town.

(8) The taxable value of all property in 15-6-131 and classes two; and three; ~~and thirteen~~ is the percentage of assessed value established in 15-6-131(2), 15-6-132, and 15-6-133; and 15-6-143 for each class of property. (Subsections (3)(a) and (3)(b) applicable to tax years beginning after December 31, 1985—sec. 4, Ch. 463, L. 1985. Subsection (6)(d) [now part of (6)(c)] and references in (8) to class thirteen [now deleted] and 15-6-143 [now deleted] terminate January 1, 1991—sec. 10, Ch. 681, L. 1985.)”

Section 82. Section 15-8-202, MCA, is amended to read:

“15-8-202. Motor vehicle assessment. (1) The department or its agent must, in each year, ascertain and assess all motor vehicles other than automobiles, trucks having a rated capacity of three-quarters of a ton or less, motorcycles, quadricycles, motor homes, travel trailers, or mobile homes in each county subject to taxation as

of January 1 or as of the anniversary registration date of those vehicles subject to 61-3-313 through 61-3-316 and 61-3-501. The assessment for all motor vehicles will be made using the market value as of January 1 of the year of assessment of the vehicle as contained in the most recent volume of the Mountain States Edition of the National Automobile Dealers Association Official Used Car Guide. The motor vehicles shall be assessed in each year to the persons by whom owned or claimed or in whose possession or control they were at midnight of January 1 or the anniversary registration date thereof, whichever is applicable.

(2) No tax may be assessed against motor vehicles subject to taxation that constitute inventory of motor vehicle dealers as of January 1. These vehicles and all other motor vehicles subject to taxation brought into the state subsequent to January 1 as motor vehicle dealers' inventories shall be assessed to their respective purchasers as of the dates the vehicles are registered by the purchasers.

(3) "Purchasers" includes dealers who apply for registration or reregistration of motor vehicles; ~~except as otherwise provided by 61-3-502.~~

(4) Goods, wares, and merchandise of motor vehicle dealers, other than new motor vehicles and new mobile homes, shall be assessed at market value as of January 1."

Section 83. Section 15-8-205, MCA, is amended to read:

"15-8-205. Initial assessment of ~~class twelve property — when mobile homes~~. The county assessor shall assess all ~~class twelve property mobile homes~~ immediately upon their arrival in the county if the taxes have not been previously paid for that year in another county in Montana."

Section 84. Section 15-8-301, MCA, is amended to read:

"15-8-301. Statement — what to contain. (1) The department of revenue or its agent must require from each person a statement under oath setting forth specifically all the real and personal property owned by such person or in his possession or under his control at midnight on January 1. Such statement must be in writing, showing separately:

(a) all property belonging to, claimed by, or in the possession or under the control or management of such person;

(b) all property belonging to, claimed by, or in the possession or under the control or management of any firm of which such person is a member;

(c) all property belonging to, claimed by, or in the possession or under the control or management of any corporation of which such person is president, secretary, cashier, or managing agent;

(d) the county in which such property is situated or in which it is liable to taxation and (if liable to taxation in the county in which the statement is made) also the city, town, school district, road district, or other revenue districts in which it is situated;

(e) an exact description of all lands in parcels or subdivisions not exceeding 640 acres each and the sections and fractional sections of all tracts of land containing more than 640 acres which have been

sectionized by the United States government; improvements and personal property; ~~including all vessels, steamers, and other watercraft~~; all taxable state, county, city, or other municipal or public bonds and the taxable bonds of any person, firm, or corporation and deposits of money, gold dust, or other valuables and the names of the persons with whom such deposits are made and the places in which they may be found; all mortgages, deeds of trust, contracts, and other obligations by which a debt is secured and the property in the county affected thereby;

(f) all solvent credits, secured or unsecured, due or owing to such person or any firm of which he is a member or due or owing to any corporation of which he is president, secretary, cashier, or managing agent;

(g) all depots, shops, stations, buildings, and other structures erected on the space covered by the right-of-way and all other property owned by any person owning or operating any railroad within the county.

(2) Whenever one member of a firm or one of the proper officers of a corporation has made a statement showing the property of the firm or corporation, another member of the firm or another officer need not include such property in the statement made by him but this statement must show the name of the person or officer who made the statement in which such property is included.

(3) The fact that such statement is not required or that a person has not made such statement, under oath or otherwise, does not relieve his property from taxation."

Section 85. Section 15-8-404, MCA, is amended to read:

"15-8-404. Property of particular types of firms. (1) The personal property belonging to the business of a merchant or of a manufacturer must be listed in the town or district where his business is carried on.

(2) The personal property of express, transportation, and stage companies; ~~steamboats, vessels, and other watercraft~~ must be listed and assessed in the county, town, or district where such property is usually kept.

(3) The personal property and franchises of gas and water companies must be listed and assessed in the county, town, or district where the principal works are located. Gas and water mains and pipes laid in roads, streets, or alleys are personal property."

Section 86. Section 15-8-405, MCA, is amended to read:

"15-8-405. Street railroads; ~~and bridges; and ferries~~. Street railroads and bridges ~~and ferries~~ and their franchises owned by persons or corporations must be listed and assessed in the county, town, or district where such property or any portion thereof is located, and the track of the railroad and the bridge are personal property."

Section 87. Section 15-8-706, MCA, is amended to read:

"15-8-706. Statement by agent to the department. (1) On the second Monday in July in each year, the agent of the department of revenue in each county must transmit to the department a statement showing:

- (a) the several kinds of personal property;
- (b) the average and total value of each kind;
- (c) the number of livestock, ~~number of bushels of grain, number of pounds or tons of any article sold by the pound or ton; and~~
- (d) when practicable, the separate value of each class of land, specifying the classes and the number of acres in each.

(2) An agent of the department who purposely or negligently fails to perform his duty under this section or a deputy or member of the agent's staff delegated such duty who purposely or negligently fails to perform such duty is guilty of official misconduct under 45-7-401."

Section 88. Section 15-16-611, MCA, is amended to read:

"15-16-611. Reduction of property tax for property destroyed by natural disaster. (1) The department of revenue shall, upon showing by a taxpayer that some or all of the improvements on his real property or a trailer or mobile home ~~as described in 15-6-142~~ have been destroyed to such an extent that such improvements have been rendered unsuitable for their previous use by natural disaster, adjust the taxable value on the property, accounting for the destruction.

(2) The county treasurer shall adjust the tax due and payable for the current year on the property under 15-16-102 as provided in subsection (3) of this section.

(3) To determine the amount of tax due for destroyed property, the county treasurer shall:

(a) multiply the amount of tax levied and assessed on the original taxable value of the property for the year by the ratio that the number of days in the year that the property existed before destruction bears to 365; and

(b) multiply the amount of tax levied and assessed on the adjusted taxable value of the property for the remainder of the year by the ratio that the number of days remaining in the year after the destruction of the property bears to 365.

(4) This section does not apply to delinquent taxes owed on the destroyed property for a year prior to the year in which the property was destroyed.

(5) For the purposes of this section, "natural disaster" includes but is not limited to fire, flood, earthquake, or wind."

Section 89. Section 15-24-301, MCA, is amended to read:

"15-24-301. Personal property brought into the state — assessment — exceptions — custom combine equipment. (1) Except as provided in subsections (2) through (6), property in the following cases is subject to taxation and assessment for all taxes levied that year in the county in which it is located:

(a) any personal property (~~including livestock~~) brought, driven, or coming into this state at any time during the year that is used in the state for hire, compensation, or profit;

(b) property whose owner or user is engaged in gainful occupation or business enterprise in the state; or

(c) property which comes to rest and becomes a part of the general property of the state.

(2) The taxes on this property are levied in the same manner and to the same extent, except as otherwise provided, as though the property had been in the county on the regular assessment date, provided that the property has not been regularly assessed for the year in some other county of the state.

(3) Nothing in this section shall be construed to levy a tax against a merchant or dealer within this state on goods, wares, or merchandise brought into the county to replenish the stock of the merchant or dealer.

(4) Any motor vehicle not subject to the light vehicle license fee or a fee in lieu of tax brought, driven, or coming into this state by any nonresident person temporarily employed in Montana and used exclusively for transportation of such person is subject to taxation and assessment for taxes as follows:

(a) The motor vehicle is taxed by the county in which it is located.

(b) One-fourth of the annual tax liability of the motor vehicle must be paid for each quarter or portion of a quarter of the year that the motor vehicle is located in Montana.

(c) The quarterly taxes are due the first day of the quarter.

(5) Agricultural harvesting machinery classified under class ~~eight~~ six, licensed in other states, and operated on the lands of persons other than the owner of the machinery under contracts for hire shall be subject to a fee in lieu of taxation of \$35 per machine for the calendar year in which the fee is collected. The machines shall be subject to taxation under class ~~eight~~ six only if they are sold in Montana.

(6) The provisions of this part do not apply to automobiles and trucks having a rated capacity of three-quarters of a ton or less, motorcycles, or quadricycles. These vehicles are subject to the fee provided for in 61-3-532 or 61-3-541."

Section 90. Section 15-24-302, MCA, is amended to read:

"15-24-302. Collection procedure. All property mentioned in 15-24-301 is assessed at the same value as property of like kind and character, and the assessment, levy, and collection of the tax are governed by the provisions of 15-8-408; 15-16-111 through 15-16-115; 15-16-404; chapter 17, part 9; and 15-24-202; as amended, except:

(1) taxation of motor vehicles under 15-24-301(4) to the extent that subsection varies from the general provisions cited above; ~~and~~

(2) ~~livestock taxation governed by 81-7-104 and Title 81, chapter 7, part 2."~~

Section 91. Section 15-24-1102, MCA, is amended to read:

"15-24-1102. Federal property held under contract of sale. When the property is held under a contract of sale or other agreement whereby upon payment the legal title is or may be acquired by the person, the real property shall be assessed and taxed as defined in ~~15-6-131 through 15-6-140~~ Title 15, chapter 6, part 1, and 15-8-111 without deduction on account of the whole or any part of the purchase price or other sum due on the property remaining unpaid. The

lien for the tax may not attach to, impair, or be enforced against any interest of the United States in the real property.”

Section 92. Section 15-24-1103, MCA, is amended to read:

“15-24-1103. Federal property held under lease. When the property is held under lease, other interest, or estate therein less than the fee, except under contract of sale, the property shall be assessed and taxed as for the value, as defined in ~~15-6-131 through 15-6-140~~ Title 15, chapter 6, part 1, of such leasehold, interest, or estate in the property and the lien for the tax shall attach to and be enforced against only the leasehold, interest, or estate in the property. When the United States authorizes the taxation of the property for the full assessed value of the fee thereof, the property shall be assessed for full assessed value as defined in 15-8-111.”

Section 93. Section 19-11-503, MCA, is amended to read:

“19-11-503. Special tax levy for fund required. (1) The purpose of this section is to provide a means by which each disability and pension fund may be maintained at a level equal to ~~2%~~ 3.5% of the taxable valuation of all taxable property within the limits of the city or town.

(2) Whenever the fund contains less than ~~2%~~ 3.5% of the taxable valuation of all taxable property within the limits of the city or town, the governing body of the city or town shall, at the time of the levy of the annual tax, levy a special tax as provided in 19-11-504. The special tax shall be collected as other taxes are collected and, when so collected, shall be paid into the disability and pension fund.

(3) If a special tax for the disability and pension fund is levied by a third-class city or town using the all-purpose mill levy, the special tax levy must be made in addition to the all-purpose levy.”

Section 94. Section 19-11-504, MCA, is amended to read:

“19-11-504. Amount of special tax levy. Whenever the fund contains an amount which is less than ~~2%~~ 3.5% of the taxable valuation of all taxable property in the city or town, the city council shall levy an annual special tax of not less than 1 mill and not more than 4 mills on each dollar of taxable valuation of all taxable property within the city or town.”

Section 95. Section 20-9-141, MCA, is amended to read:

“20-9-141. Computation of general fund net levy requirement by county superintendent. (1) The county superintendent shall compute the levy requirement for each district's general fund on the basis of the following procedure:

(a) Determine the total of the funding required for the district's final general fund budget less the amount established by the schedules in 20-9-316 through 20-9-321 by totaling:

(i) the district's nonisolated school foundation program requirement to be met by a district levy as provided in 20-9-303;

(ii) the district's permissive levy amount as provided in 20-9-352; and

(iii) any general fund budget amount adopted by the trustees of the district under the provisions of 20-9-353, including any additional levies authorized by the electors of the district.

(b) Determine the total of the moneys available for the reduction of the property tax on the district for the general fund by totaling:

(i) anticipated federal moneys received under the provisions of Title I of Public Law 81-874 or other anticipated federal moneys received in lieu of such federal act;

(ii) anticipated tuition payments for out-of-district pupils under the provisions of 20-5-303, 20-5-307, 20-5-312, and 20-5-313;

(iii) general fund cash reappropriated, as established under the provisions of 20-9-104;

(iv) anticipated or reappropriated state impact aid received under the provisions of 20-9-304;

(v) anticipated or reappropriated motor vehicle fees and reimbursement under the provisions of 61-3-532 and 61-3-536;

(vi) anticipated net proceeds taxes for new production, as defined in 15-23-601;

(vii) anticipated interest to be earned or reappropriated interest earned by the investment of general fund cash in accordance with the provisions of 20-9-213(4); ~~and~~

(viii) anticipated sales tax and use tax revenue; and

~~(viii)~~(ix) any other revenue anticipated by the trustees to be received during the ensuing school fiscal year which may be used to finance the general fund.

(c) Subtract the total of the moneys available to reduce the property tax required to finance the general fund that has been determined in subsection (1)(b) from the total requirement determined in subsection (1)(a).

(2) The net general fund levy requirement determined in subsection (1)(c) shall be reported to the county commissioners on the second Monday of August by the county superintendent as the general fund levy requirement for the district, and a levy shall be made by the county commissioners in accordance with 20-9-142."

Section 96. Section 20-9-331, MCA, is amended to read:

"20-9-331. Basic county tax and other revenues for county equalization of the elementary district foundation program. (1) It shall be the duty of the county commissioners of each county to levy an annual basic tax of 28 mills on the dollars of the taxable value of all taxable property within the county for the purposes of local and state foundation program support. The revenue to be collected from this levy shall be apportioned to the support of the foundation programs of the elementary school districts in the county and to the state special revenue fund, state equalization aid account, in the following manner:

(a) In order to determine the amount of revenue raised by this levy which is retained by the county, the sum of the estimated revenues identified in subsection (2) below shall be subtracted from the sum of the county elementary transportation obligation and the total of the foundation programs of all elementary districts of the county.

(b) If the basic levy prescribed by this section produces more revenue than is required to finance the difference determined above, the

county treasurer shall remit the surplus funds to the state treasurer for deposit to the state special revenue fund, state equalization aid account, immediately upon occurrence of a surplus balance and each subsequent month thereafter, with any final remittance due no later than June 20 of the fiscal year for which the levy has been set.

(2) The proceeds realized from the county's portion of the levy prescribed by this section and the revenues from the following sources shall be used for the equalization of the elementary district foundation programs of the county as prescribed in 20-9-334, and a separate accounting shall be kept of such proceeds and revenues by the county treasurer in accordance with 20-9-212(1):

(a) the portion of the federal Taylor Grazing Act funds distributed to a county and designated for the common school fund under the provisions of 17-3-222;

(b) the portion of the federal flood control act funds distributed to a county and designated for expenditure for the benefit of the county common schools under the provisions of 17-3-232;

(c) all money paid into the county treasury as a result of fines for violations of law and the use of which is not otherwise specified by law;

(d) any money remaining at the end of the immediately preceding school fiscal year in the county treasurer's account for the various sources of revenue established or referred to in this section;

(e) any federal or state money, including anticipated or reappropriated motor vehicle fees and reimbursement under the provisions of 61-3-532 and 61-3-536, distributed to the county as payment in lieu of the property taxation established by the county levy required by this section; ~~and~~

(f) net proceeds taxes for new production, as defined in 15-23-601; and

(g) sales tax and use tax revenue."

Section 97. Section 20-9-333, MCA, is amended to read:

"20-9-333. Basic special levy and other revenues for county equalization of high school district foundation program. (1) It shall be the duty of the county commissioners of each county to levy an annual basic special tax for high schools of 17 mills on the dollar of the taxable value of all taxable property within the county for the purposes of local and state foundation program support. The revenue to be collected from this levy shall be apportioned to the support of the foundation programs of high school districts in the county and to the state special revenue fund, state equalization aid account, in the following manner:

(a) In order to determine the amount of revenue raised by this levy which is retained by the county, the estimated revenues identified in subsections (2)(a) and (2)(b) below shall be subtracted from the sum of the county's high school tuition obligation and the total of the foundation programs of all high school districts of the county.

(b) If the basic levy prescribed by this section produces more revenue than is required to finance the difference determined above, the county treasurer shall remit the surplus to the state treasurer for deposit to the state special revenue fund, state equalization aid

account, immediately upon occurrence of a surplus balance and each subsequent month thereafter, with any final remittance due no later than June 20 of the fiscal year for which the levy has been set.

(2) The proceeds realized from the county's portion of the levy prescribed in this section and the revenues from the following sources shall be used for the equalization of the high school district foundation programs of the county as prescribed in 20-9-334, and a separate accounting shall be kept of these proceeds by the county treasurer in accordance with 20-9-212(1):

(a) any money remaining at the end of the immediately preceding school fiscal year in the county treasurer's accounts for the various sources of revenue established in this section;

(b) any federal or state moneys, including anticipated or reappropriated motor vehicle fees and reimbursement under the provisions of 61-3-532 and 61-3-536, distributed to the county as a payment in lieu of the property taxation established by the county levy required by this section; ~~and~~

(c) net proceeds taxes for new production, as defined in 15-23-601; and

(d) sales tax and use tax revenue."

Section 98. Section 20-9-352, MCA, is amended to read:

"20-9-352. Permissive amount and permissive levy. (1) Whenever the trustees of any district shall deem it necessary to adopt a general fund budget in excess of the foundation program amount but not in excess of the maximum general fund budget amount for such district as established by the schedules in 20-9-316 through 20-9-321, the trustees shall adopt a resolution stating the reasons and purposes for exceeding the foundation program amount. Such excess above the foundation program amount shall be known as the "permissive amount", and it shall be financed by a levy on the taxable value of all taxable property within the district as prescribed in 20-9-141, supplemented with any biennial appropriation by the legislature for this purpose. The proceeds of such an appropriation shall be deposited to the state special revenue fund, permissive account.

(2) The district levies to be set for the purpose of funding the permissive amount are determined as follows:

(a) For each elementary school district, the county commissioners shall annually set a levy not exceeding 6 mills on all the taxable property in the district for the purpose of funding the permissive amount of the district. The permissive levy in mills shall be obtained by multiplying the ratio of the permissive amount to the maximum permissive amount by 6 or by using the number of mills which would fund the permissive amount, whichever is less. If the amount of revenue raised by this levy, plus anticipated or reappropriated motor vehicle fees, ~~and reimbursement under the provisions of 61-3-532 and 61-3-536, is and~~ sales tax and use tax revenue are not sufficient to fund the permissive amount in full, the amount of the deficiency shall be paid to the district from the state special revenue fund according to the provisions of subsections (3) and (4) of this section.

(b) For each high school district, the county commissioners shall annually set a levy not exceeding 4 mills on all taxable property in the district for the purpose of funding the permissive amount of the

district. The permissive levy in mills shall be obtained by multiplying the ratio of the permissive levy to the maximum permissive amount by 4 or by using the number of mills which would fund the permissive amount, whichever is less. If the amount of revenue raised by this levy; plus anticipated motor vehicle fees, ~~and~~ reimbursement under the provisions of 61-3-532 and 61-3-536, ~~and plus~~ net proceeds taxes for new production; as defined in 15-23-601, ~~is~~ and sales tax and use tax revenue are not sufficient to fund the permissive amount in full, the amount of the deficiency shall be paid to the district from the state special revenue fund according to the provisions of subsections (3) and (4) of this section.

(3) The superintendent of public instruction shall, if the appropriation by the legislature for the permissive account for the biennium is insufficient, request the budget director to submit a request for a supplemental appropriation in the second year of the biennium. The supplemental appropriation shall provide enough revenue to fund the permissive deficiency of the elementary and high school districts of the state. The proceeds of this appropriation shall be deposited to the state special revenue fund, permissive account, and shall be distributed to the elementary and high school districts in accordance with their entitlements as determined by the superintendent of public instruction according to the provisions of subsections (1) and (2) of this section.

(4) Distribution under this section from the state special revenue fund shall be made in two payments. The first payment shall be made at the same time as the first distribution of state equalization aid is made after January 1 of the fiscal year. The second payment shall be made at the same time as the last payment of state equalization aid is made for the fiscal year. If the appropriation is not sufficient to finance the deficiencies of the districts as determined according to subsection (2), each district will receive the same percentage of its deficiency. Surplus revenue in the second year of the biennium may be used to reduce the appropriation required for the next succeeding biennium or may be transferred to the state equalization aid state special revenue fund if revenues in that fund are insufficient to meet foundation program requirements."

Section 99. Section 20-9-501, MCA, is amended to read:

"20-9-501. Retirement fund. (1) The trustees of any district employing personnel who are members of the teachers' retirement system or the public employees' retirement system or who are covered by unemployment insurance or who are covered by any federal social security system requiring employer contributions shall establish a retirement fund for the purposes of budgeting and paying the employer's contributions to such systems. The district's contribution for each employee who is a member of the teachers' retirement system shall be calculated in accordance with Title 19, chapter 4, part 6. The district's contribution for each employee who is a member of the public employees' retirement system shall be calculated in accordance with 19-3-801. The district may levy a special tax to pay its contribution to the public employees' retirement system under the conditions prescribed in 19-3-204. The district's contributions for each employee covered by any federal social security system shall be paid in accordance with federal law and regulation. The district's contribution for each employee who is covered by unemployment insurance shall be paid in accordance with Title 39, chapter 51, part 11.

(2) The trustees of any district required to make a contribution to any such system shall include in the retirement fund of the preliminary budget the estimated amount of the employer's contribution and such additional moneys, within legal limitations, as they may wish to provide for the retirement fund cash reserve. After the final retirement fund budget has been adopted, the trustees shall pay the employer contributions to such systems in accordance with the financial administration provisions of this title.

(3) When the final retirement fund budget has been adopted, the county superintendent shall establish the levy requirement by:

(a) determining the sum of the moneys available to reduce the retirement fund levy requirement by adding:

(i) any anticipated moneys that may be realized in the retirement fund during the ensuing school fiscal year, including anticipated motor vehicle fees and reimbursement under the provisions of 61-3-532 and 61-3-536;

(ii) net proceeds taxes for new production, as defined in 15-23-601; ~~and~~

(iii) sales tax and use tax revenue; and

~~(iii)(iv)~~ any cash available for reappropriation as determined by subtracting the amount of the end-of-the-year cash balance earmarked as the retirement fund cash reserve for the ensuing school fiscal year by the trustees from the end-of-the-year cash balance in the retirement fund. The retirement fund cash reserve shall not be more than 35% of the final retirement fund budget for the ensuing school fiscal year and shall be used for the purpose of paying retirement fund warrants issued by the district under the final retirement fund budget.

(b) subtracting the total of the moneys available for reduction of the levy requirement as determined in subsection (3)(a) from the budgeted amount for expenditures in the final retirement fund budget.

(4) The county superintendent shall total the net retirement fund levy requirements separately for all elementary school districts, all high school districts, and all community college districts of the county, including any prorated joint district or special education cooperative agreement levy requirements, and shall report each such levy requirement to the county commissioners on the second Monday of August as the respective county levy requirements for elementary district, high school district, and community college district retirement funds. The county commissioners shall fix and set such county levy in accordance with 20-9-142.

(5) The net retirement fund levy requirement for a joint elementary district or a joint high school district shall be prorated to each county in which a part of such district is located in the same proportion as the district ANB of the joint district is distributed by pupil residence in each such county. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county as provided in 20-9-151.

(6) The net retirement fund levy requirement for districts that are members of special education cooperative agreements shall be prorated to each county in which such district is located in the same

proportion as the budget for the special education cooperative agreement of the district bears to the total budget of the cooperative. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county in the same manner as provided in 20-9-151 and fix and levy the net retirement fund levy for each county in the same manner as provided in 20-9-152."

Section 100. Section 20-9-502, MCA, is amended to read:

"20-9-502. Purpose and authorization of a building reserve fund by an election. (1) The trustees of any district, with the approval of the qualified electors of the district, may establish a building reserve for the purpose of raising money for the future construction, equipping, or enlarging of school buildings or for the purpose of purchasing land needed for school purposes in the district. In order to submit to the qualified electors of the district a building reserve proposition for the establishment of or addition to a building reserve, the trustees shall pass a resolution that specifies:

(a) the purpose or purposes for which the new or addition to the building reserve will be used;

(b) the duration of time over which the new or addition to the building reserve will be raised in annual, equal installments;

(c) the total amount of money that will be raised during the duration of time specified in subsection (1)(b); and

(d) any other requirements under 20-20-201 for the calling of an election.

(2) The total amount of building reserve when added to the outstanding indebtedness of the district shall not be more than 45% 52% of the taxable value of the taxable property of the district. Such limitation shall be determined in the manner provided in 20-9-406. A building reserve tax authorization shall not be for more than 20 years.

(3) The election shall be conducted in accordance with the school election laws of this title, and the electors qualified to vote in the election shall be qualified under the provisions of 20-20-301. The ballot for a building reserve proposition shall be substantially in the following form:

OFFICIAL BALLOT

SCHOOL DISTRICT BUILDING RESERVE ELECTION

INSTRUCTIONS TO VOTERS: Make an X or similar mark in the vacant square before the words "BUILDING RESERVE—YES" if you wish to vote for the establishment of a building reserve (addition to the building reserve); if you are opposed to the establishment of a building reserve (addition to the building reserve) make an X or similar mark in the square before the words "BUILDING RESERVE—NO".

Shall the trustees be authorized to impose an additional levy each year for years to establish a building reserve (add to the building reserve) of this school district to raise a total amount of dollars (\$....), for the purpose(s) (here state the purpose or purposes for which the building reserve will be used)?

☐ BUILDING RESERVE—YES.

□ BUILDING RESERVE—NO.

(4) The building reserve proposition shall be approved if a majority of those electors voting at the election approve the establishment of or addition to such building reserve. The annual budgeting and taxation authority of the trustees for a building reserve shall be computed by dividing the total authorized amount by the specified number of years. The authority of the trustees to budget and impose the taxation for the annual amount to be raised for the building reserve shall lapse when, at a later time, a bond issue is approved by the qualified electors of the district for the same purpose or purposes for which the building reserve fund of the district was established. Whenever a subsequent bond issue is made for the same purpose or purposes of a building reserve, the money in the building reserve shall be used for such purpose or purposes before any money realized by the bond issue is used."

Section 101. Section 20-10-144, MCA, is amended to read:

"20-10-144. Computation of revenues and net tax levy requirements for the transportation fund budget. Before the fourth Monday of July and in accordance with 20-9-123, the county superintendent shall compute the revenue available to finance the transportation fund budget of each district. The county superintendent shall compute the revenue for each district on the following basis:

(1) The "schedule amount" of the preliminary budget expenditures that is derived from the rate schedules in 20-10-141 and 20-10-142 shall be determined by adding the following amounts:

(a) the sum of the maximum reimbursable expenditures for all approved school bus routes maintained by the district (to determine the maximum reimbursable expenditure, multiply the applicable rate per bus mile by the total number of miles to be traveled during the ensuing school fiscal year on each bus route approved by the county transportation committee and maintained by such district); plus

(b) the total of all individual transportation per diem reimbursement rates for such district as determined from the contracts submitted by the district multiplied by the number of pupil-instruction days scheduled for the ensuing school attendance year; plus

(c) any estimated costs for supervised home study or supervised correspondence study for the ensuing school fiscal year; plus

(d) the amount budgeted on the preliminary budget for the contingency amount permitted in 20-10-143, except if such amount exceeds 10% of the total of subsections (1)(a), (1)(b), and (1)(c) or \$100, whichever is larger, the contingency amount on the preliminary budget shall be reduced to such limitation amount and used in this determination of the schedule amount.

(2) The schedule amount determined in subsection (1) or the total preliminary transportation fund budget, whichever is smaller, shall be divided by 3 and the resulting one-third amount shall be used to determine the available state and county revenue to be budgeted on the following basis:

(a) the resulting one-third amount shall be the budgeted state transportation reimbursement, except that the state transportation reimbursement for the transportation of special education pupils

under the provisions of 20-7-442 shall be two-thirds of the schedule amount attributed to the transportation of special education pupils;

(b) the resulting one-third amount, except as provided for joint elementary districts in subsection (2)(e), shall be the budgeted county transportation reimbursement for elementary districts and shall be financed by the basic county tax under the provisions of 20-9-334;

(c) the resulting one-third amount multiplied by 2 shall be the budgeted county transportation reimbursement amount for high school districts financed under the provisions of subsection (5) of this section, except as provided for joint high school districts in subsection (2)(e), and except that the county transportation reimbursement for the transportation of special education pupils under the provisions of 20-7-442 shall be one-third of the schedule amount attributed to the transportation of special education pupils;

(d) when the district has a sufficient amount of cash for reappropriation and other sources of district revenue, as determined in subsection (3), to reduce the total district obligation for financing to zero, any remaining amount of such district revenue and cash reappropriated shall be used to reduce the county financing obligation in subsections (2)(b) or (2)(c) and, if such county financing obligations are reduced to zero, to reduce the state financial obligation in subsection (2)(a); and

(e) the county revenue requirement for a joint district, after the application of any district moneys under subsection (2)(d) above, shall be prorated to each county incorporated by the joint district in the same proportion as the ANB of the joint district is distributed by pupil residence in each such county.

(3) The total of the moneys available for the reduction of property tax on the district for the transportation fund shall be determined by totaling:

(a) anticipated federal moneys received under the provisions of Title I of Public Law 81-874 or other anticipated federal moneys received in lieu of such federal act; plus

(b) anticipated payments from other districts for providing school bus transportation services for such district; plus

(c) anticipated payments from a parent or guardian for providing school bus transportation services for his child; plus

(d) anticipated interest to be earned by the investment of transportation fund cash in accordance with the provisions of 20-9-213(4); plus

(e) anticipated motor vehicle fees and reimbursement under the provisions of 61-3-532 and 61-3-536; plus

(f) net proceeds taxes for new production, as defined in 15-23-601; plus

(g) sales tax and use tax revenue; plus

~~(g)~~(h) any other revenue anticipated by the trustees to be earned during the ensuing school fiscal year which may be used to finance the transportation fund; plus

~~(h)~~(i) any cash available for reappropriation as determined by subtracting the amount of the end-of-the-year cash balance earmarked

as the transportation fund cash reserve for the ensuing school fiscal year by the trustees from the end-of-the-year cash balance in the transportation fund. Such cash reserve shall not be more than 20% of the final transportation fund budget for the ensuing school fiscal year and shall be for the purpose of paying transportation fund warrants issued by the district under the final transportation fund budget.

(4) The district levy requirement for each district's transportation fund shall be computed by:

(a) subtracting the schedule amount calculated in subsection (1) from the total preliminary transportation budget amount and, for an elementary district, adding such difference to the district obligation to finance one-third of the schedule amount as determined in subsection (2); and

(b) subtracting the amount of moneys available to reduce the property tax on the district, as determined in subsection (3), from the amount determined in subsection (4)(a) above.

(5) The county levy requirement for the financing of the county transportation reimbursement to high school districts shall be computed by adding all such requirements for all the high school districts of the county, including the county's obligation for reimbursements in joint high school districts.

(6) The transportation fund levy requirements determined in subsection (4) for each district and in subsection (5) for the county shall be reported to the county commissioners on the second Monday of August by the county superintendent as the transportation fund levy requirements for the district and for the county, and such levies shall be made by the county commissioners in accordance with 20-9-142."

Section 102. Section 33-7-407, MCA, is amended to read:

"33-7-407. Taxes. Every society organized or licensed under this chapter is hereby declared to be a charitable and benevolent institution, and all of its funds shall be exempt from all and every state, county, district, municipal, and school tax other than taxes on gross receipts taxable under the sales and use tax and taxes on real estate property and office equipment improvements."

Section 103. Section 61-3-431, MCA, is amended to read:

"61-3-431. Special mobile equipment — exemption from registration and payment of fees and charges — identification plate — publicly owned special mobile equipment. (1) A person, firm, partnership, or corporation who owns, leases, or rents special mobile equipment as defined in 61-1-104 and occasionally moves that equipment on, over, or across the highways of the state is not subject to registration of that equipment or required to pay the fees and charges provided for in ~~61-3-502~~, 61-4-301 through 61-4-308; or part 2 of chapter 10. Prior to movement on the highways, however, each piece of equipment shall display an equipment identification plate or a dealer's license plate attached to the equipment.

(2) Annual application for the identification plate shall be made to the county treasurer before any piece of equipment is moved on the highways. Application shall be made on a form furnished by the department of justice, together with the payment of a fee of \$5. The equipment for which a special mobile equipment plate is sought is

subject to the assessment of personal property taxes on the date application is made for the plate. The personal property taxes assessed against the special mobile equipment must be paid before the issuance of a special mobile equipment plate. The fees collected under this section belong to the county road fund.

(3) The identification plate expires on December 31 of each year. If the expired identification plate is displayed, an owner of special mobile equipment registered under the provisions of this section is entitled to operate the equipment between January 1 and February 15 following expiration without displaying the identification plate or receipt of the current year.

(4) Publicly owned special mobile equipment and implements of husbandry used exclusively by an owner in the conduct of his own farming operations are exempt from this section."

Section 104. Section 61-3-501, MCA, is amended to read:

"61-3-501. When vehicle taxes and fees are due. (1) Property All taxes, new car taxes, light except sales and use taxes paid at the time of purchase, and all vehicle license fees; and fees in lieu of tax on a motorcycle, quadricycle, motor home, or travel trailer must be paid on the date of registration or reregistration of the vehicle.

(2) If the anniversary date for reregistration of a vehicle passes while the vehicle is owned and held for sale by a licensed new or used car dealer, ~~property taxes, light~~ vehicle license fees, or the fee in lieu of ~~property taxes~~ ~~abate~~ abates on such vehicle properly reported with the department of revenue until the vehicle is sold and thereafter the purchaser shall pay the pro rata balance of the taxes or the fee in lieu of tax due and owing on the vehicle.

(3) In the event a vehicle's registration period is changed under 61-3-315, all taxes and other fees due thereon shall be prorated and paid from the last day of the old period until the first day of the new period in which the vehicle shall be registered. Thereafter taxes and other fees must be paid from the first day of the new period for a minimum period of 1 year. When the change is to a later registration period, taxes and fees shall be prorated and paid based on the same tax year as the original registration period. Thereafter, during the appropriate anniversary registration period, each vehicle shall again register or reregister and shall pay all taxes and fees due thereon for a 12-month period."

Section 105. Section 61-4-112, MCA, is amended to read:

"61-4-112. New motor vehicles — transfers by dealers. (1) When a motor vehicle dealer transfers a new motor vehicle to a purchaser or other recipient, the dealer shall:

(a) issue and affix a sticker as prescribed in 61-4-111(1)(a) for transfers of used motor vehicles and retain a copy of the sticker;

(b) within 4 working days following the date of delivery of the new motor vehicle, forward to the county treasurer of the county where the purchaser or recipient resides:

(i) one copy of the sticker issued under subsection (1)(a); and

(ii) an application for certificate of title with a notice of security interest, if any, executed by the purchaser or recipient; ~~and~~

~~(iii) a statement of origin as prescribed in 61-3-502(7)(b).~~

(2) Upon receipt from the county treasurer of the documents required under subsection (1), the department shall issue a certificate of ownership and certificate of registration together with a statement of lien as provided in 61-3-202."

Section 106. Section 61-10-231, MCA, is amended to read:

"61-10-231. Enforcement. The highway patrol and any designated employee of the department of highways shall enforce this part ~~and 61-3-502(1)~~, and those persons shall examine and inspect the motor vehicles operating upon the highways in this state and regulated by this part ~~and 61-3-502(1)~~ to ascertain whether or not those laws are being complied with."

Section 107. Section 61-12-206, MCA, is amended to read:

"61-12-206. Offenses for which arrest authorized. (1) Employees appointed under 61-12-201 may make arrests for violations of the following statutory provisions only:

- (a) part 1, chapter 10, of this title;
- (b) part 3, chapter 4, of this title;
- (c) sections 15-24-201 through 15-24-205;
- (d) sections 15-70-302 through 15-70-307;
- (e) sections 15-70-311 through 15-70-314;
- ~~(f) section 61-3-502(1);~~
- ~~(g)~~(f) sections 61-10-201 through 61-10-215;
- ~~(h)~~(g) sections 61-10-222 through 61-10-224;
- ~~(i)~~(h) sections 61-10-231 through 61-10-233.

(2) These employees may not arrest for violations other than specified in this section."

Section 108. Section 67-3-201, MCA, is amended to read:

"67-3-201. Aircraft registration and licensing. (1) Except as provided in 67-3-102 and in subsection ~~(7)~~ (6) of this section, a person may not operate or cause or authorize to be operated a civil aircraft within this state unless the aircraft has an appropriate effective registration, license, certificate, or permit issued or approved by the United States government which has been registered with the department and the registration with the department is in force.

(2) Aircraft customarily kept in this state shall be registered with the department, which may charge a fee therefor of not more than \$10. The registration shall be renewed annually on or before March 1 each year.

(3) Section 67-3-202 and subsections (2) through ~~(7)~~ (6) of this section shall not apply to:

- (a) aircraft owned and operated by the federal government, the state, or any political subdivision thereof;
- (b) aircraft owned and held by an aircraft dealer solely for the purpose of resale;

(c) aircraft operated by an airline company and regularly scheduled for the primary purpose of carrying persons or property for hire in interstate or international transportation; or

(d) dismantled or otherwise nonflyable aircraft.

(4) An aircraft shall be registered as property within a particular county of the state. This county shall be the county of the owner's principal residence, if the owner is a natural person, or the owner's principal place of doing business in the state, if the owner is not a natural person. However, if the owner declares by affidavit that the aircraft is customarily kept at a landing facility in another county within the state, he may register the aircraft as property within such other county.

~~(5) Except as provided in 15-6-210, all aircraft shall be subject to all state, county, and school district tax levies and all other levies designated for aircraft- or airport-related uses. Such aircraft shall not be liable for other city tax levies.~~

~~(6)~~(5) Aircraft not registered in the state but entering the state to engage in commercial operations shall be registered prior to commencing operation.

~~(7)~~(6) Owners of ultralight aircraft for which no appropriate effective license, certificate, or permit is issued by the United States government shall file with the department an appropriate registration recognized and approved by the United States government."

Section 109. Section 67-3-202, MCA, is amended to read:

"67-3-202. Penalty for registration violations. (1) When an aircraft required to be registered under the provisions of subsections (2) through ~~(7)~~ (6) of 67-3-201 is not registered on or before March 1 of the current calendar year, a penalty fee of \$100 shall be added to the registration fee and collected. Registration of an aircraft in the name of the applicant for the year immediately preceding the year for which application for registration is made shall be prima facie evidence that the aircraft has been based in this state during the year for which application for registration is made.

~~(2) Except for aircraft exempt from property taxation as provided in 15-6-210, an application for registration shall be accompanied by a copy of the receipt for or statement of personal property tax paid, signed by the treasurer of the county where the aircraft is registered, or a statement of lien assignment against real property, signed by the county assessor where the aircraft is registered. A person who pays personal property tax on his aircraft to any jurisdiction other than the county where the aircraft is required to be registered is liable for the tax in that county without credit for such other taxes paid. In addition to this civil liability, a person who attempts to establish the situs of his aircraft in any jurisdiction other than the county where the aircraft is required to be registered with intent to avoid payment of taxes to that county commits the offense of false swearing as defined in 45-7-202.~~

~~(3)~~(2) A person who operates an aircraft required to be registered in the state without having displayed upon such aircraft a certificate of registration issued by the department for that aircraft commits a misdemeanor."

Section 110. Section 81-6-101, MCA, is amended to read:

“81-6-101. Petition for county livestock protective committee — members — term. (1) The board of county commissioners must, upon receipt of a petition or petitions to do so, establish a county livestock protective committee of three members. The petition or petitions must be signed by at least 51% of the owners of cattle in the county and such petitioners owning shall own at least 55% of the cattle as shown by the most recent completed assessment records of the county assessor, set up a county livestock protective committee of three members in the county.

(2) Members appointed to serve on such committee shall be residents of the county engaged in the business of raising cattle. If there be in the county any organization of cattle growers, the county commissioners shall give preference to names submitted by any such group for appointment to such committee. The term for which said committee members shall be appointed shall be 2 years with two members of the first committee named to serve for 2 years, one member to serve for 1 year. Members of such committee shall receive no remuneration or reimbursement for expenses for serving on said committee.

(3) By “organization of cattle growers”, as used in this section, is meant any group or organization holding regular meetings at least annually, having officers, and composed predominantly of cattle growers resident in the county, with its membership open to cattle growers willing to abide by its governing rules or bylaws, and its general purpose being the promotion of the interests of its members in matters pertaining to the cattle or livestock industry.

(4) If owners of sheep in the county desire to come under the provisions of this part in cooperation with owners of cattle, they shall file a like petition to that set out herein for owners of cattle, and in such case at least one member of said livestock protective committee shall be a sheep grower and where the word “cattle” appears in this part, it shall be deemed to comprehend also the word “sheep”.

(5) Owners of sheep alone may form a county livestock protective committee, in which case the word “cattle” as in this part contained shall be considered as if it were the word “sheep”; and provided further that the levy as provided in 81-6-104 hereof shall, in the case of sheep, not exceed 5 cents per head.”

Section 111. Section 81-6-104, MCA, is amended to read:

“81-6-104. Tax levy Levy — special fund. Said The county livestock protective committee may recommend to the board of county commissioners ~~the a levy of a tax in an amount~~ not to exceed 50 cents per head on all ~~assessable~~ cattle in the county on January 1, and the board of county commissioners shall thereupon be empowered to impose the levy such tax, to be collected as ~~other~~ taxes on personal property and when collected to be deposited by the county treasurer in a special fund to be known as the stockmen’s special deputy fund, together with any other funds made available from county, state, federal, or private sources for the purposes of this part. The board of livestock shall provide the board of county commissioners of each county with the number of cattle in the county on January 1, for the purpose of imposing the levy.”

Section 112. Section 81-6-204, MCA, is amended to read:

"81-6-204. ~~Tax levy~~ Levy — deposit of proceeds. ~~Said~~ The district cattle protective committee may recommend to the board of county commissioners ~~the a levy of a tax in an amount~~ not to exceed 50 cents per head on all ~~assessable~~ cattle in the district on January 1, and the board of county commissioners shall thereupon be empowered to ~~impose the levy such tax,~~ to be collected as ~~other~~ taxes on personal property and when collected to be deposited in the county treasury of one of the counties in the district, to be selected by the district cattle protective committee, in a special fund to be known as the stockmen's special deputy fund, together with any other funds made available from county, state, federal, or private sources for the purposes of this part. The board of livestock shall provide the board of county commissioners of each county with the number of cattle in the county on January 1, for the purpose of imposing the levy."

Section 113. Section 81-6-209, MCA, is amended to read:

"81-6-209. ~~Tax levy~~ Levy — deposit of proceeds. ~~Said~~ The district cattle protective committee may recommend to the board of county commissioners ~~the a levy of a tax in an amount~~ not to exceed 50 cents per head on all ~~assessable~~ cattle in the district on January 1, and the board of county commissioners shall thereupon be empowered to ~~impose the levy such tax,~~ to be collected as ~~other~~ taxes on personal property and when collected to be deposited in the county treasury in a special fund to be known as the stockmen's special deputy fund, together with any other funds made available from county, state, federal, or private sources for the purposes of this part. The board of livestock shall provide the board of county commissioners of each county with the number of cattle in the county on January 1, for the purpose of imposing the levy."

Section 114. Section 81-7-103, MCA, is amended to read:

"81-7-103. Administration of funds by the department. The department shall administer and expend for predatory animal extermination and control all money which is made available to it, including the money ~~from the levy allocated for this purpose~~ under 81-7-104 and all money which is made available to the department by appropriations made by the legislature for predatory animal control by the department. The department shall expend the funds for predatory animal control by all effective means responsive to the necessities of control in various areas of the state, including employment of hunters, trappers, and other personnel, procurement of traps, poisons, equipment, and supplies, and payment of bounties in the discretion of the department at those times of the year it considers advisable."

Section 115. Section 81-7-104, MCA, is amended to read:

"81-7-104. ~~Levy for predator~~ Predator control moneys — use of proceeds. (1) The department of revenue shall ~~annually levy an ad valorem tax on all livestock in the state of Montana livestock shall allocate a portion of the money from the levy under [section 44] for the purpose of protecting them livestock and poultry against destruction, depredation, and injury by wild animals, whether the livestock or poultry is on lands in private ownership, in the ownership of the state, or in the ownership of the United States, including open ranges and all lands in or of the public domain. This protection may be by any means of effective predatory animal destruction, extermination, and control, including systematic hunting and trapping and payment of bounties. The tax levy may not exceed in any one~~

year 15 mills on the taxable value of all sheep and 10 mills on the taxable value of other livestock.

(2) The moneys received from the tax levies shall be transmitted monthly with other taxes for state purposes by the county treasurer of each county to the state treasury. The state treasurer shall place the money in the state special revenue fund with the other moneys as provided in 81-7-119. The moneys Money shall thereafter be paid out only on claims duly and regularly presented to the department of livestock and approved by the department in accordance with the law applicable either to claims for bounties or for other expenditures necessary and proper for predatory animal control by means and methods other than payment of bounties, as determined by the department. All the moneys shall be available for the payment of bounty claims and for expenditures for planned, seasonal, or other campaigns directed or operated by the department in cooperation with other agencies for the systematic destruction, extermination, and control of predatory wild animals, as determined by the department and its advisory committee. No claims may be approved in excess of moneys available for such purposes, and no warrants may be registered against the moneys."

Section 116. Section 81-7-201, MCA, is amended to read:

"81-7-201. County levy for bounties on predatory animals. Whenever the owners, agent, or agents of the owners representing 51% of the livestock of any county in this state present a petition to the board of county commissioners of such county asking for the levy of a tax upon the livestock of the county for the purpose of paying bounties on predatory animals killed in the county, it is the duty of the board of county commissioners to make the levy, which may not exceed 50 mills on the dollar of the taxable value of \$1 per head of livestock on all livestock in the county. The tax levy shall be assessed and collected in the same manner as all other state and county taxes."

Section 117. Section 81-7-202, MCA, is amended to read:

"81-7-202. Signers of petition — time for presenting — limitation on bounties — bounty inspectors. (1) The petition provided for in 81-7-201 shall be signed by the owners, agent, or agents of not less than 51% of the livestock of such county ~~as ascertained from the assessment books of such county~~ and shall recommend to the board of county commissioners the bounties to be paid on such predatory animals, which shall not exceed the following:

- (a) on each wolf or mountain lion, \$100;
- (b) on each wolf pup or mountain lion kitten, \$20;
- (c) on one coyote, \$5;
- (d) on each coyote pup, \$2.50.

(2) Such petition shall be presented not later than August 1 of each year, and the board of county commissioners on determining the sufficiency of such petition shall make an order granting such petition, which order shall fix the levy for that year and the amount of the bounties to be paid for the killing of each such predatory animal, which shall not exceed the amounts recommended in such petition, and appoint not less than 10 or more than 20 stockowners of such

county to be bounty inspectors under this part, without compensation, who shall hold their offices for 1 year.”

Section 118. Section 81-7-303, MCA, is amended to read:

“81-7-303. County commissioners permitted to require per capita license fee on sheep. (1) To defray the expense of such protection the board of county commissioners of any county shall have the power to require all owners or persons in possession of any sheep coming 1 year old or over in the county on ~~the regular assessment date~~ January 1 of each year to pay a license fee in an amount to be determined by the board on a per head basis for sheep so owned or possessed by him in the county. All owners or persons in possession of any sheep coming 1 year old or over coming into the county after ~~the regular assessment date and subject to taxation under the provisions of 15-24-301~~ January 1 shall also be subject to payment of the license fee herein prescribed.

(2) Upon the order of the board of county commissioners such license fees may be imposed by the entry thereof in the name of the licensee upon the property tax rolls of the county by the county assessor. Said license fees shall be payable to and collected by the county treasurer, and when so levied, shall be a lien upon the property, both real and personal, of the licensee. In case the person against whom said license fee is levied owns no real estate against which said license fee is or may become a lien, then said license fee shall be payable immediately upon its levy and the treasurer shall collect the same in the manner provided by law for the collection of personal property taxes which are not a lien upon real estate.

(3) When collected, said fees shall be placed by the treasurer in the predatory animal control fund and the moneys in said fund shall be expended on order of the board of county commissioners of the county for predatory animal control only.”

Section 119. Section 81-7-305, MCA, is amended to read:

“81-7-305. Duty of county commissioners — petition of sheep owners — license fees. (1) In conducting a predatory animal control program, the board of county commissioners shall give preference to recommendations for such program and its incidents as made by organized associations of sheep growers in the county. Upon petition of the resident owners of at least 51% of the sheep in the county, as shown by the ~~assessment rolls of the last preceding assessment~~ best available records of the board of livestock, which petition shall be filed with the board of county commissioners on or before the first Monday in December in any year, such board shall establish the predatory animal control program and cause said licenses to be secured and issued and the fees collected for the following year in such amount as will defray the cost of administering the program so established. The license fee determined and set by the board shall remain in full force and effect from year to year without change, unless there is filed with the board a petition subscribed by the resident owners of at least 51% of the sheep in the county, as shown by the ~~assessment rolls of the last assessment preceding the filing of the petition~~ best available records of the board of livestock, for termination of the program and repeal of the license fee, in which event the program shall by order of the board of county commissioners be disestablished and the license fee shall not be further levied.

(2) If the resident owners of at least 51% of the sheep in the county either petition for an increase in the license fee or petition for a decrease in the license fee then in force, the board of county commissioners shall upon receipt of any such petition fix a new license fee to continue from year to year and the program shall thereupon continue within the limits of the aggregate amount of the license fee as collected from year to year."

Section 120. Section 81-8-804, MCA, is amended to read:

"81-8-804. Assessments — refunds. (1) There is levied, in addition to the ~~tax on livestock prescribed in Title 15, chapter 24, part 9, a per head tax other fees~~ levied, an amount of 25 cents on each head of cattle that is more than 9 months of age and is owned or possessed within a county for the support and maintenance of research into beef production as provided in this part. The ~~tax~~ levy shall be paid to the county treasurer of that county on or before March 1 of each year.

(2) The ~~tax~~ levy required in subsection (1) must be paid for each head of cattle that is more than 9 months of age and is brought into the county after March 1 ~~and is subject to taxation and assessment under 15-24-301.~~

(3) Each county is entitled to receive \$250 annually as reimbursement for the administration of this section.

(4) A person who has paid the ~~tax~~ levy required by this section may obtain a refund of the ~~tax~~ levy upon submission of a written request to the department. The application must be made within 30 days after the payment of the ~~tax~~ levy and on forms furnished by the department. The department shall, upon receipt of a timely and otherwise properly submitted refund request, refund the ~~tax~~ levy."

Section 121. Section 85-7-2001, MCA, is amended to read:

"85-7-2001. Limitations on debt-incurring power. (1) The board of commissioners or other officers of the district may not incur any debt or liability, either by issuing bonds or otherwise, except as provided in this chapter. No irrigation district may become indebted, in any manner or for any purpose in any one year, in an amount exceeding ~~18.75%~~ 22% of the assessed valuation of the district, except as provided in subsection (2).

(2) (a) For the purpose of organization; for any of the immediate purposes of this chapter; to make or purchase surveys, plans, and specifications; for stream gauging and gathering data; or to make any repairs occasioned by any calamity or other unforeseen contingency, the board of commissioners may, in any one year, incur the indebtedness of as many dollars as there are acres in the district and may cause warrants of the district to issue therefor.

(b) For the purpose of organization, for any of the immediate purposes of this chapter, or to meet the expenses occasioned by any calamity or other unforeseen contingency, the board of commissioners may, in any one year, incur (in addition to the ~~18.75%~~ 22% limitation of subsection (1)) an additional indebtedness not exceeding ~~12.5%~~ 14.5% of the assessed valuation of the district and may cause warrants of the district to issue therefor.

(c) The limitation of subsection (1) does not apply to warrants issued for unpaid interest on the valid bonds of any irrigation district.

(d) The limitation of subsection (1) does not apply to any bonds issued under this chapter pursuant to a provision which expressly supersedes the limitation.

(3) Any debt or liability incurred in excess of the limitations provided by the irrigation district laws is void."

NEW SECTION. Section 122. Submission to electorate. The question of whether sections 1 through 121 of this act will become effective shall be submitted to the electors of Montana at the election called pursuant to section 123 by printing on the ballot the full title of this act and the following:

☐ FOR imposing a 4% sales and use tax, with 75% of the proceeds to be used for business and residential property tax relief and the remainder to be deposited in the state general fund.

☐ AGAINST imposing a 4% sales and use tax, with 75% of the proceeds to be used for business and residential property tax relief and the remainder to be deposited in the state general fund.

NEW SECTION. Section 123. Special election. Pursuant to Article III, sections 5 and 6, of The Constitution of the State of Montana, sections 1 through 121 shall be submitted to the people for their approval or disapproval at a statewide election to be held June 9, 1987.

NEW SECTION. Section 124. Transmittal to the attorney general — statements by attorney general. (1) The secretary of state shall, within 1 working day of receipt, transmit a copy of this act and a copy of the form in which the issue will appear on the ballot to the attorney general. The attorney general shall examine the ballot form submitted to his office and, within 7 days of receipt of the ballot form, notify the secretary of state of his approval or rejection of the ballot form.

(2) Upon receipt of the ballot form under subsection (1), the attorney general shall order a fiscal note, the substance of which must substantially comply with the provisions of 5-4-205. The budget director is responsible for preparing the fiscal note and shall return it within 4 days. The attorney general shall prepare a fiscal statement not exceeding 50 words, to be forwarded to the secretary of state at the same time he informs the secretary of state of his approval or rejection of the ballot form.

(3) Upon receipt of the ballot form, the attorney general shall prepare a statement, not exceeding 100 words, expressing an impartial explanation of the purpose of sections 1 through 121 in plain, easily understood language. The statement may not be an argument for or against or written to create a prejudice for or against the issue. The attorney general shall forward the explanatory statement prepared under this subsection to the secretary of state at the same time he informs the secretary of state of his approval or rejection of the ballot form.

NEW SECTION. Section 125. Secretary of state to certify form and voter information. (1) Thirty-five days or more before the special election, the secretary of state shall certify to each county election administrator the form in which the issue is to appear on the ballot, as provided by 13-27-501. Each of the county election administrators shall order the official ballot to be printed in the form certified by the secretary of state.

(2) At least 20 days prior to the election called under section 123, the secretary of state shall deliver or have delivered to the counties sufficient copies of sections 1 through 121, the fiscal note, and the explanatory statement prepared pursuant to [section 124], in such form as the secretary of state determines.

(3) The county election administrator shall mail one copy of the voter information required by subsection (2) to each registered voter in the county, except that, for purposes of this mailing, two or more voters with the same last name and the same mailing address may be counted as one voter. The mailing must take place no later than 1 week after the pamphlets are received from the printer.

(4) The secretary of state may contract for the printing and delivery of the voter information material under the immediate procurement provisions of 18-4-133(2).

NEW SECTION. Section 126. Absentee ballots. The county election administrator shall ensure that ballots are printed and available for absentee voting at least 10 days prior to the election.

NEW SECTION. Section 127. Determination of result of special election. (1) The votes on sections 1 through 121 must be counted and canvassed following procedures prescribed by the secretary of state.

(2) A report form for the abstract of votes shall be prepared by the secretary of state and sent to the county election administrators. The county election administrator shall provide the required information and shall send the abstract of votes to the secretary of state by certified mail in an envelope marked "special election returns". Such returns must be received by the secretary of state no later than 5 p.m. on the sixth day following the election.

(3) The board of state canvassers shall meet on the seventh day following the special election. The secretary of state, as secretary of the board of canvassers, shall prepare and file in his office a report of the canvass, which lists:

(a) the total number of electors voting in each county and in each legislative house district, together with the total number of electors voting in the state; and

(b) the votes by county and legislative house district for and against the issue, together with the total number of votes cast for and against the issue in the state.

(4) The secretary of state shall transmit a certified copy of the statement of the canvass to the governor and the code commissioner within 10 days following the special election.

NEW SECTION. Section 128. Application of election laws. (1) Except as provided in sections 123 through 128, the election called under section 123 must be conducted and canvassed and the results returned in the manner provided in Title 13 for a general election.

(2) The provisions of 13-2-301(1)(b), 13-12-201, 13-13-205, and Title 13, chapter 27, do not apply to the election called under section 118.

(3) The secretary of state shall publish notice of the election as provided in 13-1-108.

NEW SECTION. Section 129. Repealer. Sections 15-6-137 through 15-6-140, 15-6-142 through 15-6-144, 15-6-146, 15-24-304, 15-24-901 through 15-24-906, 15-24-908 through 15-24-911, 15-24-921 through 15-24-926, 15-24-931, 15-24-941 through 15-24-943, 61-3-502, 61-3-605, and 81-7-118, MCA, are repealed.

NEW SECTION. Section 130. Codification instructions. (1) Sections 1 through 43 are intended to be codified as an integral part of Title 15, and the provisions of Title 15 apply to sections 1 through 43.

(2) Sections 44 through 48 are intended to be codified as an integral part of Title 81 and the provisions of Title 81 apply to sections 44 through 48.

(3) Section 49 is intended to be codified as an integral part of Title 15, chapter 30, and the provisions of Title 15, chapter 30, apply to section 49.

NEW SECTION. Section 131. Extension of authority. Any existing authority of the department of revenue, the department of livestock, the board of livestock, the department of highways, the department of commerce, or the board of aeronautics to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 132. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 133. Saving clause. This act does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this act.

NEW SECTION. Section 134. Effective dates. (1) This act, except sections 122 through 128, 135, and this section, is effective upon approval by the electorate.

(2) Sections 122 through 128, 135, and this section are effective on passage.

NEW SECTION. Section 135. Applicability. (1) Sections 1 through 43 apply on and after June 1, 1988.

(2) Sections 44 through 48 apply on and after January 1, 1988.

(3) Section 49 applies to taxable years beginning after December 31, 1987.

(4) Sections 50 through 121 apply to taxable years, fiscal years, and school fiscal years beginning after December 31, 1988. However, all taxes, levies, fees, assessments, and the like levied in 1988 for fiscal year 1989 must be paid and are collectible as provided by law.

(5) Sections 122 through 135 apply on passage."

Committee attached the following statement of intent:

Statement of Intent
HB 377

A statement of intent is required for this bill because the department of revenue is granted authority to adopt rules for the administration and

enforcement of the sales and use tax. The rules are intended to provide for an efficient process for the collection of the taxes, with minimum expense to both the taxpayer and the state.

The legislature contemplates that rules to be adopted by the department should, at a minimum, address the following:

(1) the registration and issuance of permits to persons engaging in the business of retail sales and services;

(2) the reporting form for the payment of the taxes, along with the requirements for the retention by the taxpayers of the necessary records;

(3) the required security and the acceptable forms of security for those taxpayers required to give security for payment of the taxes;

(4) the use of the nontaxable transaction certificate and clarification of any exemption from or deduction of the taxes;

(5) the necessary forms and the required procedures for reporting the taxes; and

(6) the definition of terms and establishment of procedures as appropriate for efficient administration of the sales and use tax.

And, as amended, do pass. Report adopted.

HB 436, introduced bill, be amended as follows:

3/18/87

1. Title, lines 4 through 9.

Following: "REQUIRING" on line 4

Strike: remainder of line 4 through "PROPERTY" on line 9

Insert: "THE DEPARTMENT OF REVENUE TO CONDUCT A SALES ASSESSMENT RATIO STUDY FOR THE PURPOSE OF ANNUALLY DETERMINING THE CORRECT ASSESSMENT LEVEL FOR SIMILAR PROPERTY LOCATED IN SPECIFIC AREAS OF THE STATE OF MONTANA"

2. Title, line 9.

Following: "SECTIONS"

Insert: "15-1-101, 15-7-102,"

Following: "15-7-103"

Insert: " ,"

3. Page 1.

Following: line 13

Insert: "Section 1. Section 15-1-101, MCA, is amended to read:

"15-1-101. Definitions. (1) Except as otherwise specifically provided, when terms mentioned in this section are used in connection with taxation, they are defined in the following manner:

(a) The term "agricultural" refers to the raising of livestock, poultry, bees, and other species of domestic animals and wildlife in domestication or a captive environment, and the raising of field crops, fruit, and other animal and vegetable matter for food or fiber.

(b) The term "assessed value" means the value of property as defined in 15-8-111.

(c) The term "average wholesale value" means the value to a dealer prior to reconditioning and profit margin shown in national appraisal guides and manuals or the valuation schedules of the department of revenue.

(d) (i) The term "commercial", when used to describe property, means any property used or owned by a business, a trade, or a non-profit corporation as defined in 35-2-102 or used for the production of income, except that property described in subsection (ii).

(ii) The following types of property are not commercial:

(A) agricultural lands;

(B) timberlands;

(C) single-family residences and ancillary improvements and improvements necessary to the function of a bona fide farm, ranch, or stock operation;

(D) mobile homes used exclusively as a residence except when held by a distributor or dealer of trailers or mobile homes as his stock in trade;

(E) all property described in 15-6-135;

(F) all property described in 15-6-136; and

(G) all property described in 15-6-146.

(e) The term “comparable property” means property that has similar use, function, and utility; that is influenced by the same set of economic trends and physical, governmental, and social factors; and that has the potential of a similar highest and best use.

(f) The term “credit” means solvent debts, secured or unsecured, owing to a person.

(g) The term “improvements” includes all buildings, structures, fences, and improvements situated upon, erected upon, or affixed to land. When the department of revenue or its agent determines that the permanency of location of a mobile home or housetrailer has been established, the mobile home or housetrailer is presumed to be an improvement to real property. A mobile home or housetrailer may be determined to be permanently located only when it is attached to a foundation which cannot feasibly be relocated and only when the wheels are removed.

(h) The term “leasehold improvements” means improvements to mobile homes and mobile homes located on land owned by another person. This property is assessed under the appropriate classification and the taxes are due and payable in two payments as provided in 15-24-202. Delinquent taxes on such leasehold improvements are a lien only on such leasehold improvements.

(i) The term “livestock” means cattle, sheep, swine, goats, horses, mules, and asses.

(j) The term “mobile home” means forms of housing known as “trailers”, “housetrailer”, or “trailer coaches” exceeding 8 feet in width or 45 feet in length, designed to be moved from one place to another by an independent power connected to them, or any “trailer”, “housetrailer”, or “trailer coach” up to 8 feet in width or 45 feet in length used as a principal residence.

(k) The term “personal property” includes everything that is the subject of ownership but that is not included within the meaning of the terms “real estate” and “improvements”.

(l) The term “poultry” includes all chickens, turkeys, geese, ducks, and other birds raised in domestication to produce food or feathers.

(m) The term “property” includes moneys, credits, bonds, stocks, franchises, and all other matters and things, real, personal, and

mixed, capable of private ownership. This definition must not be construed to authorize the taxation of the stocks of any company or corporation when the property of such company or corporation represented by the stocks is within the state and has been taxed.

(n) The term “real estate” includes:

(i) the possession of, claim to, ownership of, or right to the possession of land;

(ii) all mines, minerals, and quarries in and under the land subject to the provisions of 15-23-501 and Title 15, chapter 23, part 8; all timber belonging to individuals or corporations growing or being on the lands of the United States; and all rights and privileges appertaining thereto.

(o) The term “taxable value” means the percentage of market or assessed value as provided for in 15-6-131 through 15-6-140.

(p) The term “weighted mean assessment ratio” means the total of the assessed values divided by the total of the selling prices of all area sales in the stratum.

(2) The phrase “municipal corporation” or “municipality” or “taxing unit” shall be deemed to include a county, city, incorporated town, township, school district, irrigation district, drainage district, or any person, persons, or organized body authorized by law to establish tax levies for the purpose of raising public revenue.

(3) The term “state board” or “board” when used without other qualification shall mean the state tax appeal board.”

Section 2. Section 15-7-102, MCA, is amended to read:

“15-7-102. Notice of classification and appraisal to owners — appeals. (1) It shall be the duty of the department of revenue to cause to be mailed to each owner and purchaser under contract for deed a notice of the classification of the land owned or being purchased by him and the appraisal of the improvements thereon only if one or more of the following changes pertaining to the land or improvements have been made since the last notice:

(a) change in ownership;

(b) change in classification;

(c) change in valuation; or

(d) addition or subtraction of personal property affixed to the land.

(2) The notice of classification and appraisal provided by the department under subsection (1) must be on a standardized form adopted by the department containing sufficient information in a comprehensible manner designed to fully inform the taxpayer as to the classification and appraisal of his property and of changes over the prior tax year.

(3) If the owner of any land and improvements is dissatisfied with the appraisal or classification of his land or improvements, he may submit his objection in writing to the department’s agent. The department shall give reasonable notice to such taxpayer of the time and place of hearing and hear any testimony or other evidence which the taxpayer may desire to produce at such time and afford the opportunity to other interested persons to produce evidence at such

hearing. Thereafter, the department shall determine the true and correct appraisal and classification of such land or improvements and forthwith notify the taxpayer of its determination. In the notification, the department must state its reasons for revising the classification or appraisal. When so determined, the land shall be classified and improvements appraised in the manner ordered by the department.

(4) Whether a hearing as provided in subsection (3) is held or not, the department or its agent may not adjust an appraisal or classification upon taxpayer's objection unless:

(a) the taxpayer has submitted his objection in writing; and

(b) the department or its agent has stated its reason in writing for making the adjustment.

(5) A taxpayer's written objection to a classification or appraisal and the department's notification to the taxpayer of its determination and the reason for that determination are public records. Each county appraiser shall make such records available for inspection during regular office hours.

(6) If any property owner shall feel aggrieved at the classification and/or the appraisal so made by the department, he shall have the right to appeal to the county tax appeal board and then to the state tax appeal board, whose findings shall be final subject to the right of review in the proper court or courts. While the property owner may appeal the base year valuation and classification determination, the property owner may not appeal the yearly percentage adjustments that are specified in 15-7-111 and that may be made as a result of the sales assessment ratio study. The property owner may not appeal the stratum or area designations as specified in 15-7-111."

Renumber: subsequent sections

4. Page 2.

Following: line 22

Insert: "(5) In any periodic revaluation of taxable property completed under the provisions of 15-7-111 after January 1, 1986, all property classified in 15-6-134 must be appraised on its market value in the same year. The department shall publish a rule specifying the year used in the appraisal."

Renumber: subsequent subsection

5. Page 3, lines 6 and 7.

Following: "property" on line 6

Strike: remainder of line 6 through "sample" on line 7

6. Page 3, line 10.

Following: "state"

Strike: "by on-site appraisal"

7. Page 3, line 11.

Following: "written"

Insert: "reappraisal"

Following: "plan"

Strike: "of rotation"

8. Page 3, lines 12 through 19.

Following: "department" on line 12

Strike: remainder of line 12 through "sample" on line 19

9. Page 3, line 19.

Following: "The"

Insert: "reappraisal"

Following: "plan"

Strike: "of rotation"

10. Page 3, line 21.

Following: "revalued"

Strike: "by on-site appraisal"

11. Page 3, line 23.

Following: "revalued"

Strike: "by on-site appraisal"

12. Page 3, line 25.

Following: "to"

Strike: "each county assessor and"

13. Page 4, lines 2 through 15.

Following: "(2)" on line 2

Strike: remainder of line 2 through line 15 in their entirety

Insert: "For the taxable year beginning January 1, 1988, and for every taxable year thereafter, the department shall conduct a stratified sales assessment ratio study of all residential real property and improvements, of all commercial and industrial real property and improvements, and of all other real property and improvements. The study must include such property as vacant land, agricultural improvements, and the 1-acre homesite beneath the agricultural residence.

(3) The study required in subsection (2) must be based on:

(a) the standards and methodology adopted by the international association of assessing officers in their publication "Standard on Assessment Ratio Studies";

(b) assessments of the property described in subsection (2) as of January 1 of the year immediately preceding the taxable year for which the study is conducted;

(c) a statistically valid sample of sales, using data from realty transfer certificates filed for the taxable year immediately following the assessment date identified in subsection (3)(b); and

(d) the assessments and sales for areas of the state that are economically, demographically, and geographically similar in order to determine the sales assessment ratio for a specific area.

(4) For purposes of conducting the study required by subsection (2), the sales assessment areas are as follows:

(a) area 1:

(i) Daniels County;

(ii) Sheridan County;

(iii) Roosevelt County;

(iv) McCone County;

(v) Valley County;

(vi) Phillips County;

- (vii) Petroleum County;
- (viii) Garfield County; and
- (ix) Prairie County;
- (b) area 2:
 - (i) Richland County;
 - (ii) Dawson County;
 - (iii) Wibaux County;
 - (iv) Fallon County;
 - (v) Carter County;
 - (vi) Powder River County;
 - (vii) Rosebud County;
 - (viii) Big Horn County; and
 - (ix) Custer County;
- (c) area 3: city of Billings;
- (d) area 4:
 - (i) Yellowstone County (excluding the city of Billings);
 - (ii) Treasure County;
 - (iii) Musselshell County;
 - (iv) Carbon County; and
 - (v) Stillwater County;
- (e) area 5:
 - (i) Golden Valley County;
 - (ii) Wheatland County;
 - (iii) Fergus County;
 - (iv) Judith Basin County;
 - (v) Meagher County; and
 - (vi) Sweet Grass County;
- (f) area 6:
 - (i) Park County;
 - (ii) Gallatin County;
 - (iii) Broadwater County; and
 - (iv) Lewis and Clark County;
- (g) area 7: city of Great Falls;
- (h) area 8:
 - (i) Cascade County (excluding the city of Great Falls);
 - (ii) Chouteau County;

- (iii) Teton County;
- (iv) Hill County;
- (v) Liberty County;
- (vi) Toole County;
- (vii) Pondera County;
- (viii) Glacier County; and
- (ix) Blaine County;
- (i) area 9:
 - (i) Madison County;
 - (ii) Beaverhead County;
 - (iii) Silver Bow County;
 - (iv) Jefferson County;
 - (v) Deer Lodge County;
 - (vi) Granite County; and
 - (vii) Powell County;
- (j) area 10: city of Missoula;
- (k) area 11: Missoula County (excluding the city of Missoula);
- (l) area 12:
 - (i) Mineral County;
 - (ii) Sanders County; and
 - (iii) Lincoln County;
- (m) area 13:
 - (i) Flathead County; and
 - (ii) Lake County.

(5) The department shall use the following procedures to resolve situations in similar areas of the state that have inadequate numbers of sales to conduct the statistically valid sample in a specific tax year:

(a) an extension of the time period from which sales are drawn and an adjustment of the sales price to acknowledge the different time period. At a minimum, the time adjustment must coincide with the consumer price index for that same time period.

(b) the use of fee appraisals in lieu of sales prices. The fee appraisal must be conducted by a certified appraiser who is not an employee of the department.

(c) the input of assessment ratio statistics developed from a model of the area. The information to be input into the study must be statistically valid and must be developed by a certified statistician who is not an employee of the department.

(6) The department shall use the following procedure to validate sales information:

(a) Department field staff are required to manually review each sales transaction evidenced by a realty transfer certificate. The review must be conducted to determine whether each sale was a valid, arm's-length transaction. Only valid, arm's-length sales may be used in the sales assessment ratio study.

(b) The valid sales information must be transmitted to the department. The department staff shall enter the sales information on the computer-assisted appraisal system in order to make the sales assessment ratio study. The sales information contained on the computer-assisted appraisal system is considered confidential, as provided in 15-7-308.

(c) The department shall exclude from the sales assessment ratio study any parcels in which the improvements have been remodeled, reconstructed, or expanded or that are wholly new construction after the assessment date identified in subsection (3)(b).

(d) The department shall exclude sales assessment ratios of less than 50% or greater than 200%.

(7) The department shall have equalized property values throughout the state when the following conditions are met:

(a) the overall assessment level for each stratum within each area identified in subsection (4) is within an interval of plus or minus 10% of the legal level of assessment, given an adequate sample size;

(b) coefficients of dispersion with respect to the weighted mean assessment ratio for residential properties located within each area identified in subsection (4) are equal to or less than 20%;

(c) coefficients of dispersion with respect to the weighted mean assessment ratio for income-producing properties located within each area identified in subsection (4) are equal to or less than 20%; and

(d) coefficients of dispersion with respect to the weighted mean assessment ratio for other types of real property and improvements located within each area identified in subsection (4) are equal to or less than 20%.

(8) (a) When the overall assessment level of each stratum exceeds 10% of the legal level of assessment and when the coefficients of dispersion with respect to the weighted mean for each stratum exceed 20%, the department shall make percentage adjustments to the valuations of all the properties in a specific area stratum. The percentage adjustments must create compliance with subsection (7). The percentage adjustments must account for unique factors that affect values in the various areas.

(b) Under this method, all taxable property in each area is considered revalued for each tax year, based on the results of the sales assessment ratio study and any percentage adjustments required by that study."

14. Pages 4 and 5.

Following: "1987" on line 24, page 4

Strike: remainder of line 24 through "act" on page 5, line 4

And, as amended, do pass. Report adopted.

HB 726, introduced bill, be amended as follows:

1. Page 1, line 19.

Following: “and”

Strike: “may”

Insert: “must”

2. Page 1, line 23.

Following: “,”

Insert: “and”

3. Page 2, line 1.

Following: “drink”

Strike: “; and”

Insert: “.”

4. Page 2, line 2.

Following: “(b)”

Insert: “The petition or resolution may include”

And, as amended, do pass. Report adopted.

HB 741, introduced bill, be amended as follows:

1. Title, line 8.

Strike: “33-30-203,”

2. Page 2, line 3.

Following: “corporations”

Insert: “as prescribed in 33-30-102”

3. Page 3, lines 5 and 6.

Strike: “referred to in 33-1-102”

Insert: “in the provisions listed in 33-30-102”

4. Page 4, line 8.

Strike: “title.”

Insert: “chapter. In addition to the provisions contained in this chapter, other chapters and provisions of this title apply to health service corporations as follows: 33-17-212 through 33-17-214 and chapters 1, 15, 18, 19, and 22.”

5. Page 6, lines 5 through 8.

Strike: section 5 in its entirety

Renumber: subsequent sections

6. Page 10, line 18.

Following: “in”

Strike: “chapter 17”

Insert: “33-17-212 through 33-17-214”

7. Page 13, line 2 through line 4, page 14.

Strike: section 12 in its entirety

Renumber: subsequent sections

8. Page 14, lines 9 and 10.

Strike: “instructions. (1)”

Insert: “instruction.”

9. Page 14, lines 10 and 12.

Strike: “11”

Insert: “10”

10. Page 14, lines 13 through 16.

Strike: subsection (2) in its entirety

11. Page 14, lines 17 through 19.

Following: “. Section” on line 17

Strike: remainder of line 17 through “1988.” on line 19

Insert: “8 applies to individuals appointed as enrollment representatives on or after the effective date of this act.”

And, as amended, do pass. Report adopted.

HB 751, do pass. Report adopted.

HB 782, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Following: “IF” on line 7

Strike: remainder of line 7 through “AND” on line 8

2. Page 2, lines 2 and 3.

Following: “not” on line 2

Strike: remainder of line 2 through “that” on line 3

Insert: “to exceed 3% if there is no statewide sales tax, or if”

3. Page 2, line 4.

Following: “statewide”

Insert: “, at a rate not to exceed 1%”

Following: “,”

Strike: “or”

4. Page 2, line 8.

Following: “liability”

Strike: “.”

Insert: “; or”

5. Page 2.

Following: line 8

Insert: “(c) as provided in 7-6-4461 through 7-6-4467.

(2) the proposal must state:

(a) the specific type of tax the local government proposes to impose;

(b) the proposed tax rate;

(c) proposed exclusions and exemptions, if any;

(d) the proposed duration of the tax; and

(e) the purpose for which the proceeds of the proposed tax would be used.”

Renumber: subsequent subsections

6. Page 2, line 14.

Following: “(3)”

Strike: “(a)”

Following: “may be”

Strike: remainder of lines 14 through 22 in their entirety

Insert: “imposed:

(a) only by any one local government in conformance with [section 7];

(b) on the retail sale of items of tangible personal property or services, but the taxing proposal may exempt sales in the following categories:

(i) unprepared food;

- (ii) prescription and nonprescription drugs;
- (iii) agricultural machinery, equipment, and supplies;
- (iv) any item costing more than \$500;
- (v) basic necessities as specified in the taxing proposal under subsection 3; or
- (vi) services.

(5) A local government may pledge for repayment of bonds up to one-third of the revenues derived from a 3% sales tax or all of the revenue derived from a 1% sales tax. Such bonds do not constitute debt for purposes of any statutory debt limitation, provided that in the resolution authorizing the issuance of the bonds the local government determines that the sales tax revenues, special assessments levied for and revenues from such facilities, improvements or undertakings, or other sources of revenue, if any, pledged to the payment of the bonds will be sufficient in each year to pay the principal thereof and interest thereon when due."

Renumber: subsequent subsections

7. Page 2, line 23.

Strike: "(b)"

Insert: "(6)"

Renumber: subsequent subsections

8. Page 2, line 24.

Strike: "(i)"

Insert: "(a)"

9. Page 3, line 1.

Strike: "(ii)"

Insert: "(b)"

10. Page 3, line 10.

Strike: "(3)" and "(4)"

Insert: "(4)" and "(7)"

11. Page 7, line 24.

Following: "nonpayment."

Insert: "(1)"

12. Page 8, line 3.

Strike: "(1)"

Insert: "(a)"

13. Page 8, line 5.

Strike: "(2)"

Insert: "(b)"

14. Page 8.

Following: line 7

Insert: "(2) A governing body may contract or enter into interlocal agreements with other local governments or state agencies for the administration of a tax authorized by [section 2]."

15. Page 9.

Following: line 4

Insert: "NEW SECTION. Section 8. Exemption from public utilities. No public utility subject to rate regulation by the Montana public service commission or owned by a governmental entity, including a

rural cooperative organized under Title 35, chapter 18, is subject to a tax levied under [this act]"

Renumber: subsequent sections

16. Page 9, lines 6 and 9.

Strike: "7"

Insert: "8"

Committee attached the following statement of intent:

Statement of Intent

HB 782

A statement of intent is required for this bill because rulemaking authority is granted to the department of revenue in section 3.

It is intended that the rules promulgated by the department of revenue for administering the local option income tax will be as compatible as possible with rules adopted by the department for administering state income taxes. In achieving this goal, the department should strive for simplicity for taxpayers, and if burdens are necessary, the department should bear them. In administering the tax, the primary objective should be efficiency for both the state and the concerned local governments. It is contemplated that the rules will address reporting forms, payments to local governments, and other procedures necessary for proper administration of the local option income tax.

And, as amended, do pass. Report adopted.

HB 813, introduced bill, be amended as follows:

1. Title, line 5.

Following: "PROVIDING FOR"

Strike: "USE"

Insert: "DISTRIBUTION"

2. Title, lines 6 and 7.

Following: "PROCEEDS" on line 6

Strike: remainder of line 6 through "FUND" on line 7

3. Page 1.

Following: line 14

Strike: "three-or-four-wheeled"

4. Page 2, line 12.

Following: ".,"

Insert: "or"

5. Page 2, lines 15 through 17.

Following: "days" on line 15

Strike: remainder of line 15 through "owner" on line 17

6. Page 3, lines 3 through 9.

Following: "(2)" on line 3

Strike: remainder of lines 3 through 9 in their entirety

Insert: "The county treasurer shall distribute all fees in lieu of tax collected on off-highway vehicles pursuant to [section 3] in the relative proportions required by the levies for state, county, school district, and municipal purposes in the same manner as personal property taxes are distributed."

7. Page 3, line 16.

Following: "year."

Insert: "The decal will be serially numbered and have the expiration date of December 31 of the appropriate year printed thereon."

8. Page 4, lines 18 and 19.

Following: "fine" on line 18

Strike: remainder of line 18 through "\$50" on line 19

Insert: "equal to five times the fee in lieu of tax that is due on the off-highway vehicle for the current year"

And, as amended, do pass. Report adopted.

HB 816, introduced bill, be amended as follows:

1. Title, line 10.

Following: "AND"

Strike: "A RETROACTIVE"

Insert: "AN"

2. Page 1, line 16.

Following: "that"

Insert: ";

(a)"

3. Page 1, line 17.

Strike: "and"

Insert: ";

(b) is"

4. Page 1, line 18.

Following: "products"

Insert: ";; and

(c) has not been in production for 12 consecutive months"

5. Pages 1 through 3.

Following: "shall" on page 1, line 20

Strike: remainder of page 1 through line 2, page 3

Insert: "reduce the assessed value by 25% a year for each year the plant continues to be out of production until the market value is reduced to salvage value.

(3) Following the commencement of production, property classified as class twenty must remain at the preceding year's valuation for the succeeding 12 months."

Renumber: subsequent subsection

6. Page 6, line 13.

Strike: "1986"

Insert: "1987"

And, as amended, do pass. Report adopted.

HB 821, introduced bill, be amended as follows:

1. Page 5, line 3.

Following: "1986"

Insert: ", and before January 1, 1989. It does not apply to taxable years beginning on or after January 1, 1989,"

2. Page 5, line 7.

Following: "January 1,"

Strike: "1989"

Insert: "1990"

And, as amended, do pass. Report adopted.

HB 851, do pass. Report adopted.

HB 876, do pass. Report adopted.

Adverse Committee Reports

HB 26, as amended, statement of intent attached, do not pass.

HB 544, do not pass. Chairman Ramirez moved to adopt the committee report. Representative Ream made a substitute motion that the adverse committee report be rejected and the bill be printed and placed on second reading. Motion failed. (31-64)

The adverse committee report was adopted as follows:

Ayes: Asay, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Roth, Sales, Simon, Smith, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 65

Noes: Addy, Bachini, Bardanouve, J. Brown, Bulger, Cohen, Connelly, Corne', Darko, Fritz, Hansen, Harper, Harrington, Hoffman, Kadas, Moore, Nisbet, Peck, Poulsen, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Squires, Stang, Stratford, Strizich, Vincent, Whalen.

Total 31

Paired: Hannah, Peterson, Thomas, Ayes; Harrington, Moore, Ream, Noes.

Excused: Bradley, Miles, Spaeth.

Total 3

Absent or not voting: Koehnke.

Total 1

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks

March 19, 1987

Speaker of the House

State Capitol

Helena, Montana 59620

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 58, 65, 77, 79, 82, 118, 139, 162, 186, 208, 239, 290, 433, 446, 620, 706, and 749 on this date.

Sincerely,

Ted Schwinden

Governor

MOTIONS

Representative Lory moved that SB 102 be taken from second reading and rereferred to the Committee on Judiciary for the addition of a statement of intent. Motion carried.

The Committee on Appropriations returning at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Brandewie in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 176 - Representative Stratford moved that SB 176, third reading copy, be amended as follows:

1. Page 1.

Following: line 22

Insert: “; and

(f) services provided by nurse specialists, as specifically listed in 37-8-202(5), within the scope of their practice and that are otherwise directly reimbursed as allowed under department rule to an existing provider”

2. House Human Services and Aging Committee amendments, dated March 12, 1987, amendment 2, page 2.

Following: line 17

Strike: “(k) nursing services provided by nurse practitioners, nurse-midwives, and nurse-anesthetists as permitted by federal and state law;”

Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Addy, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Cohen.

Total 1

Excused: Bradley, Miles, Moore, Peterson, Thomas.

Total 5

Absent or not voting: Asay, Bachini, Koehnke, O'Connell, Peck.

Total 5

Representative Thomas present at this time.

Representative Stratford moved that SB 176, as amended, be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen,

Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Sales.

Total 1

Excused: Miles, Moore, Peterson.

Total 3

Absent or not voting: Addy, Koehnke, Miller, Poff.

Total 4

SB 219 - Representative Iverson moved that SB 219 be placed at the bottom of the second reading board. Motion carried.

Representative Miles present at this time.

SB 220 - Representative Whalen moved that SB 220 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow.

Total 90

Noes: Meyers, Patterson, Thomas.

Total 3

Excused: Moore, Peterson.

Total 2

Absent or not voting: Harp, Iverson, Koehnke, Phillips, Mr. Speaker.

Total 5

SB 288 - Representative Hansen moved that SB 288 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift,

Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 93

Noes: None.

Total 0

Excused: Moore, Peterson.

Total 2

Absent or not voting: Koehnke, Menke, O'Connell, Poulsen, Mr. Speaker.

Total 5

HB 386 - Representative Cody moved that the Governor's amendments to HB 386 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Driscoll, Pavlovich, Whalen.

Total 3

Excused: Moore, Peterson.

Total 2

Absent or not voting: Cohen, Koehnke, Menke, Poulsen, Sands.

Total 5

HB 84 - Representative Ramirez moved that HB 84, second reading copy, be amended as follows:

Statement of Intent

HB 84

This bill needs a statement of intent because it allows the department of revenue and department of commerce to adopt rules negotiating the administration of this act.

The rules will be necessary to effectively and efficiently collect the tax and disburse the funds. This includes rules clarifying persons subject to the tax, reporting requirements, recordkeeping requirements, qualification for funds requirements, delineation/clarification of the statutorily created council powers, and other requirements. Since this is a new tax in Montana, it is anticipated that many issues will arise requiring rulemaking for resolution.

Statement of Intent was adopted as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke,

Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Moore, Peterson.

Total 2

Absent or not voting: Addy, Switzer, Williams.

Total 3

Representative Cobb moved that HB 84, second reading copy, be further amended as follows:

1. Page 5, lines 17 and 18.

Strike: "hotel, motel, or campground"

Insert: "facility"

2. Page 5, lines 22 and 23.

Strike: "hotel, motel, or campground"

Insert: "facility"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Sales.

Total 1

Excused: Moore, Peterson.

Total 2

Absent or not voting: Addy, Ream, Switzer.

Total 3

Representative Fritz moved that HB 84, second reading copy, be further amended as follows:

1. Page 7, line 7.

Strike: "50%"

Insert: "80%"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson,

Driscoll, Eudaily, Fritz, Giacometto, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swysgood, Thoft, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 78

Noes: Campbell, Cobb, Cohen, Devlin, Ellison, Gilbert, Gould, Harrington, Jenkins, Meyers, Raney, Sales, Stratford, Swift, Wallin.

Total 15

Excused: Moore, Peterson.

Total 2

Absent or not voting: Addy, Bradley, Poulsen, Switzer, Thomas.

Total 5

Representative Bardanouve moved that HB 84, second reading copy, be further amended as follows:

1. Statement of intent, page 1.

Following: line 11

Insert: "The intent of the legislature in exempting certain facilities that charge rates not exceeding 60% of the state rate for state officers and employees traveling in Montana is to avoid taxing rooms that are primarily used by pensioners and similarly disposed persons who may use a hotel as a residence, but who nonetheless rent a room by the day or week. Such facilities may also rent rooms to drop-in trade from time to time, but such trade is not the primary business of the facility. Rules adopted should be sensitive to drawing the distinction authorized by the legislature."

2. Page 2, line 15.

Following: "PURPOSES,"

Insert: "any hotel, motel, dormitory, hostel, public lodginghouse, or bed and breakfast facility whose average daily accommodation charge for single occupancy does not exceed 60% of the amount authorized under 2-18-501 for the actual cost of lodging for travel within the state of Montana,"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Gilbert, Gould, Grinde, Hansen, Harper, Holliday, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Manuel, Menahan, Miles, Nathe, Nelson, Nisbet, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Russell, Sales, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Mr. Speaker.

Total 53

Noes: Asay, Brandewie, Campbell, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Glaser, Grady, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Lory, Menke, Mercer, Meyers, Miller, O'Connell, Patterson, Peterson, Phillips, Ream, Rehberg, Roth, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow.

Total 44

Paired: Bulger, Aye; Peterson, No.

Excused: Moore.

Total 1

Absent or not voting: McCormick, Pavlovich.

Total 2

Representative Peterson present at this time.

Representative Winslow moved that HB 84, second reading copy, be further amended. Amendment failed. (30-67)

Representative Winslow moved that HB 84, second reading copy, be further amended as follows:

1. Page 7, line 5.

Strike: "21.5%"

Insert: "25%"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Harp.

Total 1

Representative Thomas excused at this time.

Representative Winslow moved that HB 84, second reading copy, be further amended. Amendment failed. (39-55)

Representative Raney moved that HB 84, second reading copy, be further amended as follows:

1. Strip Fritz amendment, dated 3/19/87, (11:34).

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Giacometto, Gilbert, Grady, Grinde, Hanson, Harp, Hayne, Hoffmann, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Manuel, Menahan, Menke, Mercer, Miles, Nathe, Peck, Peterson, Poff, Raney, Rapp-Svrcek, Russell, Sands, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 61

Noes: D. Brown, J. Brown, Cobb, Daily, Eudaily, Fritz, Glaser, Gould, Hannah, Hansen, Harper, Harrington, Kadas, Lory, McCormick, Meyers, Miller, Nelson, Nisbet, Patterson, Pavlovich, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Sales, Schye, Simon, Squires, Winslow.

Total 34

Excused: Moore, Thomas.

Total 2

Absent or not voting: Addy, O'Connell, Swysgood.

Total 3

Representative Bardanouve moved that HB 84, second reading copy, be further amended. Amendment failed. (43-54)

Representative Cohen moved that HB 84, second reading copy, be further amended. Amendment failed. (23-76)

Representative Winslow moved that HB 84, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Bachini, Bardanouve, Cobb, Driscoll, Gilbert, Hannah, Hayne, Mercer, Nisbet, Poff, Rapp-Svrcek, Stang.

Total 12

Paired: Thomas, Aye; Gilbert, No.

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

Representative Harp excused at this time.

Representative Thomas present at this time.

HB 291 - Representative Peck moved that HB 291, second reading copy, be amended. Amendment failed. (19-79)

Representative Peck moved that HB 291, second reading copy, be amended as follows:

1. Page 1, line 24.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Campbell, Harrington, Swysgood.

Total 3

Excused: Harp, Moore.

Total 2

Absent or not voting: None.

Total 0

Representative Mercer moved that HB 291, second reading copy, be further amended as follows:

1. Title, line 5.

Strike: "REQUIRING" through "AND" on line 8

2. Title, line 10.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "AND 61-8-718"

3. Page 1, line 14.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 3, lines 7 and 13.

Strike: "2"

Insert: "1"

Amendment passed as follows:

Ayes: Brandewie, D. Brown, Bulger, Campbell, Cobb, Compton, Daily, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keller, Kitselman, Manuel, Menahan, Menke, Mercer, Meyers, Nathe, Patterson, Pavlovich, Peterson, Phillips, Rapp-Svrcek, Rehberg, Roth, Sales, Simon, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Mr. Speaker.

Total 54

Noes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Cody, Cohen, Connelly, Corne', Darko, Donaldson, Hansen, Harper, Harrington, Jones, Kadas, Keenan, Koehnke, Lory, McCormick, Miles, Miller, Nelson, Nisbet, O'Connell, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Russell, Sands, Schye, Smith, Spaeth, Squires, Vincent, Williams.

Total 41

Excused: Harp, Moore.

Total 2

Absent or not voting: Asay, Kennerly, Winslow.

Total 3

Representative Peck moved that HB 291, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Cobb, Cody, Grady, Jones, O'Connell, Pistoria, Poff, Rapp-Svrcek.

Total 8

Excused: Harp, Moore.

Total 2

Absent or not voting: None.

Total 0

HB 526 - Representative Ellison moved that HB 526, second reading copy, be amended. Representative Ellison made a substitute motion that the amendment be divided. Motion carried.

Representative Harp present at this time.

Part one of the amendment failed to pass. (36-58)

Part two of the amendment failed to pass. (35-62)

Representative Schye moved that HB 526 do pass. Representative Cobb made a substitute motion that HB 526, second reading copy, be amended. Amendment failed. (44-56)

Representative Cobb made a substitute motion that HB 526, second reading copy, be amended. Amendment failed. (45-53)

HB 526 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Wallin, Whalen, Williams, Winslow.

Total 62

Noes: Asay, Brandewie, Campbell, Cobb, Cody, Devlin, Donaldson, Ellison, Giacometto, Grinde, Hannah, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Manuel, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Poff, Sales, Smith, Swift, Switzer, Swysgood, Thoft, Thomas, Mr. Speaker.

Total 37

Paired: Moore, Aye; Giacometto, No.

Excused: None.

Total 0

Absent or not voting: Harp.

Total 1

HB 658 - Representative Menahan moved that HB 658 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Fritz, Giacometto, Jones, Meyers, Poff, Swift.

Total 6

Excused: Moore.

Total 1

Absent or not voting: Asay, Bardanouve, Devlin, Harp, Poulsen.

Total 5

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Brandewie moved the adoption of the committee report. Report adopted. (85-11)

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/19/87

HB 94, introduced by C. Smith

HB 165, introduced by J. Brown

HB 246, introduced by Cobb

HB 266, introduced by Ream

HB 273, introduced by Nelson

HB 298, introduced by Rapp-Svrcek

HB 370, introduced by Asay

HB 396, introduced by Pavlovich

HB 404, introduced by Harp

HB 499, introduced by Sands

HB 506, introduced by S. Hansen

HB 511, introduced by Driscoll

HB 541, introduced by C. Smith

HB 555, introduced by Sands

HB 558, introduced by Gould

HB 615, introduced by Cody

HB 664, introduced by Ramirez

HB 738, introduced by Jenkins

HB 783, introduced by Brandewie

HB 822, introduced by Hannah

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/19/87

HB 53, introduced by Eudaily

HB 121, introduced by Kadas

HB 123, introduced by Bradley

HB 236, introduced by Addy

HB 471, introduced by Darko

House amendments to Senate bills concurred in: 3/19/87

SB 21, introduced by Story

SB 43, introduced by Farrell

SB 73, introduced by E. Smith

SB 130, introduced by Manning

SB 174, introduced by B. Brown

SB 180, introduced by Harding

SB 267, introduced by Van Valkenburg

The Senate, on 3/19/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 326.

The President appointed the following members:

Senator Halligan, Chairman

Senator Beck

Senator Brown

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 10, introduced by Cobb, Grady, Jenkins, Patterson, Nathe.
Referred to Committee on Agriculture.

HB 889, introduced by Winslow, Asay, Iverson, Spaeth, Thomas, Holliday, Mercer, Manuel, Cody, Marks, Nathe, Gilbert, Thoft, Menke, Giacometto, Grinde. Referred to Committee on Agriculture.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 222 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Cobb, Cohen, Driscoll, Fritz, Peck, Russell, Whalen.

Total 7

Excused: Moore.

Total 1

Absent or not voting: Meyers, Swift, Switzer.

Total 3

HB 409 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Campbell, Giacometto, Hannah, Menke.

Total 4

Excused: Moore.

Total 1

Absent or not voting: Switzer.

Total 1

SB 17 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Asay, Campbell, Cobb, Devlin, Giacometto, Gilbert, Hannah, Hayne, Jenkins, Keller, Menke, Roth, Thomas.

Total 13

Excused: Moore.

Total 1

Absent or not voting: Switzer.

Total 1

SB 149 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Harp, Harper, Harrington, Hoffman, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Bardanouve, Cody, Compton, Devlin, Gilbert, Hannah, Hanson, Hayne, Holliday, Jones, Menke, Peck, Ramirez, Sales, Simon, Smith, Thoft.

Total 17

Excused: Moore.

Total 1

Absent or not voting: Switzer.

Total 1

SB 292 concurred in as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Bardanouve, Bradley, Bulger, Cody, Cohen, Connelly, DeMars, Fritz, Kadas, Keenan, Menahan, Meyers, Miles, Nisbet, Raney, Rapp-Svrcek, Russell, Schye, Squires, Stang, Strizich, Whalen.

Total 22

Excused: Moore.

Total 1

Absent or not voting: Switzer.

Total 1

SB 305 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Menke.

Total 1

Excused: Moore.

Total 1

Absent or not voting: Switzer.

Total 1

MOTIONS

Representative Spaeth moved that HB 291 be taken from engrossing and rereferred to the Committee on Rules for a ruling on whether the amendments had exceeded the scope of the title. Motion carried.

Representative Ramirez moved that HB 155, the bill that uses vehicle fees for the funding of district courts, be taken from the Committee on Taxation and rereferred to the Committee on Appropriations. Motion carried.

Representative Mercer moved that the rules be suspended to allow the late drafting and introduction of a bill regarding the 65 mph speed limit tied to the new federal regulations. Motion carried.

Representative Jenkins moved that he be allowed to change his vote on SB 149 on third reading from yes to no. The motion, which must be unanimous, failed. (89-4)

Representative Menahan moved that Mercer and Brandewie be added as sponsors to HB 658. Motion carried.

Representative Vincent moved that the House reconsider its action in failing to allow Representative Jenkins to change his vote on third reading on SB 149. Motion carried unanimously. The Jenkins motion to allow him to change his vote then passed unanimously.

Representative Connelly moved that HB 382 be taken from the table in the Committee on Appropriations and printed and placed on second reading. This is the bill that funds school building projects with money borrowed from the Coal Trust. Motion carried. (51-46)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 2:00 p.m., March 20, 1987.

Motion carried.

House adjourned at 7:47 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

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